FINISHED

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2002

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RESOLUTION
AMENDMENT TO CONTRACT FOR RESIDENTIAL SOLID WASTE COLLECTION

WHEREAS, This Amendment, made and entered into this 9th day of January, 2002, by and between the City of Fort Wayne by and through its Board of Public Works (hereinafter called "City"), and National Serv-all, Inc. (hereinafter called "Contractor"), agree to the following amendments to the Contract of services entered into between the parties on July 14, 1999; and

WHEREAS, the original Contract provided for disposal of solid waste produced by City facilities other than Parks with all billing and payment to be based on tonnage; and

WHEREAS, this method of billing is impractical for the commercial containers at City facilities as it would require excessive labor and fuel costs for Contractor; and

WHEREAS, the parties informally agreed to a method of collection and disposal of solid waste from commercial containers at City facilities other than Parks with billing based on a conversion factor of cubic yardage versus tonnage, which method was used from January 1, 2000 through January 31, 2001; and

WHEREAS, the City objected to this method of billing formally by letter to Contractor in October 2000; and

WHEREAS, the parties agreed to an Amendment of the Residential Solid Waste Collection Contract, which was approved by the City Board of Public Works on February 28, 2001, whereby Contractor would bill City for the collection and disposal of garbage from City facilities other than Parks on a basis of 150 pounds per cubic yard at the applicable tonnage rate specified in the City Residential Solid Waste Contract; and

WHEREAS, Contractor gave the City a credit for overpayments made according to the new conversion factor from October 2000 through January 2001; and

WHEREAS, the parties agreed to conduct a limited field study in 2001 to determine the accuracy of the 150 pounds per cubic yard conversion factor agreed to by the parties in the February 2001 Amendment; and

WHEREAS, the parties conducted waste audits of the City's commercial containers in October 2001 and December 2001; and

WHEREAS, the results of the audits demonstrate that the average pounds per cubic yard is equivalent to 80 pounds per cubic yard, rather than 150 pounds per cubic yard; and

WHEREAS, the City wishes to reserve the option to further amend the Contract as it relates to the collection of various recyclable material; and

WHEREAS, the City wishes to reserve the option to further amend the Contract if it chooses to collect recycling at its departments, which would change the pounds per cubic yard for its commercial containers at these facilities; and

WHEREAS, the Amendment of February 2001, expired on December 31, 2001.

NOW, THEREFORE, LET IT BE RESOLVED that the parties agree that the Contract Specifications be amended to provide for the billing for collection and disposal of all waste from commercial containers at City facilities other than Parks to be on a basis of 80 pounds per cubic yard at the applicable tonnage rate specified in the City Contract. The number of cubic yards for billing purposes will be the total capacity in yards of all the commercial containers used at City facilities other than Parks. All other Contract terms shall remain as set out in the Contract Documents and Specifications that accompanied the Contract dated July 14, 1999. This Amendment shall be in effect immediately and will continue through December 31, 2002. Parties agree to perform another waste audit during 2002 to verify that 80 pounds per cubic yard is still an accurate conversion factor for the commerical containers, and we'll adjust this amendment accordingly.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

Bret Boccabella, General Manager
National Serv-all, Inc.

ATTEST: _____

MEMORANDUM

TO: Ted Rhinehart, Chairman, Board of Works

FROM: Steven B. Martin, General Accounting

DATE: January 3, 2002

SUBJ: Bad Debts

I am requesting Board approval to write off the attached listing of delinquent accounts. After receiving your approval, those accounts, which cannot be collected by us, will be turned over to our Collection Agent.

Please indicate your approval and return one copy of the detail listing to General Accounting. A copy of the detail listing is attached for your file.

The write off is for October 2001 and special terminated accounts.

REVENUE ACCOUNTS

October, 2001

WATER	$ 3,582.60
SEWER	9,993.67
STORM WATER	1,342.58
REFUSE	3,809.84
	$ 18,728.69

BOARD OF PUBLIC WORKS/
STORMWATER MANAGEMENT

Denise Bailey Ross

John Lucas

Ted Rhinehart

APPROVED: 1-9-02

IMPROVEMENT RESOLUTION NO. 6839-02
ST. MARTINS STREET: LAFAYETTE STREET TO HANNA STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
ST. MARTINS STREET: LAFAYETTE STREET TO HANNA STREET BY RECONSTRUCTING THE SIDEWALK, ALLEY APPROACHES, DRIVE APPROACHES, AND NEW ADA CURB RAMPS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 9 day of January, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE
STORMWATER SYSTEM IMPROVEMENT
RESOLUTION NO. 637-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of stormwater system improvements, including approximately 1,060 lineal feet of storm system and appurtenant structures, along the 3100 block of Delray Drive and the 5000 through 5200 blocks of Vance Avenue in the Glenwood Park Extended Addition.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT" project is of public utility and benefit.

Declares the "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT" project does not require the acquisition of property or permanent property rights (easements).

Declares the engineer's estimate of "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT" project's total cost is $255,000.00.

Declares the "DELRAY DRIVE - JONQUIL DRIVE - ROCKWOOD DRIVE STORMWATER SYSTEM IMPROVEMENT" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 9 **DAY OF** January **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart , Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross , Member

IMPROVEMENT RESOLUTION NO. 6838-02
AZALEA DRIVE: BETHANY LANE TO BAYBERRY DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

THAT IT IS DEEMED NECESSARY TO IMPROVE: **AZALEA DRIVE: BETHANY LANE TO BAYBERRY DRIVE BY RECONSTRUCTING CEMENT CONCRETE STREET, DRIVEWAY AND DRAINAGE IMPROVEMENT.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 9th day of Jan., 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6829-01

PONTIAC STREET: FAIRFIELD AVENUE TO ANTHONY BOULEVARD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

PONTIAC STREET FROM FAIRFIELD AVENUE TO ANTHONY BOULEVARD BY PAVEMENT MILLING, RESURFACING, MARKING; CURB RAMP CONSTRUCTION; CURB, SIDEWALK AND DRIVEWAY RECONSTRUCTION AS NECESSARY; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 9 day of January, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

EAST SHORE DRIVE SANITARY SEWER EXTENSION
RESOLUTION NO. 645-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 760 lf of 8" sanitary sewer and appurtenances starting from an existing manhole at the corner of East Shore Drive and Upper St. Joe Road and extending north along East Shore Drive.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "East Shore Drive Sanitary Sewer Extension."

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne WPC Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not acquire any additional property rights in conjunction with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $103,656.

Declares the maximum fee to be collected from the affected property owner are those shown on the Attachment "B"

APPROVED THIS 9th DAY OF Jan., 2002.

BOARD OF PUBLIC WORKS

BY:

EAST SHORE DRIVE SANITARY SEWER EXTENSION
RESOLUTION NO. 645-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 760 lf of 8" sanitary sewer and appurtenances starting from an existing manhole at the corner of East Shore Drive and Upper St. Joe Road and extending north along East Shore Drive.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "East Shore Drive Sanitary Sewer Extension."

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne WPC Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not acquire any additional property rights in conjunction with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $103,656.

Declares the maximum fee to be collected from the affected property owner are those shown on the Attachment "B"

APPROVED THIS 9th DAY OF Jan., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

EXHIBIT B Cost Allocation Spreadsheet

1/7/2002

Sanitary Sewer Petition Project Location: East Shore Drive Sanitary Sewer

Parcel	Property Owner	Legal Description	Property Address	Acreage	Area Connection Fee	Total Area Connection Fee Assessment	No. of Taps	No. of Units	Unit Cost	P.O. Cost	City Utilities Cost	Total Property Cost	Comments
A	CHRIS & ALICIA CLARK	EX E 228 LOT 22 & EX E 228 LOT 23 (ST JOE GARDENS)	5926 EAST SHORE DRIVE	0.52	$1,158.00	$602.16	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
B	ROBERT & VERNA JOHNSON	S 1/2 EX SE 228 FT LOT 20 & LOT 21 EX SE 228 FT	5938 EAST SHORE DRIVE	0.39	$1,158.00	$451.62	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
C	RALPH & JUDITH BAXTER	LOT 19 & S 5 FT LOT 18 & LOT 20 EX S 1/2 OG E 189 FT (ST JOE GARDENS)	6008 EAST SHORE DRIVE	1.04	$1,158.00	$1,204.32	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
D	MICHAEL JR & JOAN JOHNSON	E 217 FT LOT 17 EX N 25 FT	6014 EAST SHORE DRIVE	0.85	$1,158.00	$984.30	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
E	MICHAEL JR & JOAN JOHNSON	Lot 18 EX N 55 of W 200 & EX S 5 FT (ST JOE GARDENS)					0	0	$0.00	$0.00	$0.00	$0.00	
F	BARBARA YORK	LOT 16 S 5FT LOT 15 & N 25FT LOT 17 (ST JOE GARDENS)	6020 EAST SHORE DRIVE	0.88	$1,158.00	$1,019.04	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
G	JAMES & BAERBEL MCKINNON	W 214 FT LOT 13 W 208 3 OF N25 LOT 14 (ST JOE GARDENS)	6104 EAST SHORE DRIVE	1.7	$1,158.00	$1,968.60	1	1	$4,000.00	$4,000.00	$13,276.00	$17,276.00	
H	JAMES & BAERBEL MCKINNON	W 208 OF SW35 LOT 14 & W 204 OF NE 55 LOT 15 (ST JOE GARDENS)					0	0	$0.00	$0.00	$0.00	$0.00	
I	JAMES & BAERBEL MCKINNON	LOT 15 EX W 204 FT & EX S 5 FT					0	0	$0.00	$0.00	$0.00	$0.00	
J													
K													
L													
M													
N													
			sub-totals	5.38		$6,230.04	6	6		$24,000.00	$79,656.00	$103,656.00	

IMPROVEMENT RESOLUTION NO. 6840-02
CHESTNUT STREET: DUBOIS STREET TO SUMMER STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
CHESTNUT STREET: DUBOIS STREET TO SUMMER STREET BY RECONSTRUCTING THE SIDEWALK, YARDWALKS, AND DRIVE APPROACHES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 9 day of January, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board hereby declares the official intent of the City and the Commission, pursuant to I.C. 5-1-14-6(c) and §1.150-2 of the Treasury Regulations, that preliminary costs incurred by or on behalf of the City in financing the construction of the Project be reimbursed from the proceeds of the Bonds.

2. This resolution shall be in full force and effect from and after its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on January 16, 2002, at the City-County Building, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter-Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

EXHIBIT A

PROJECT DESCRIPTION

Various roadway, utility and related construction, repair, renovation and improvement projects to the following city streets and thoroughfares in or serving various redevelopment areas and/or economic redevelopment areas in the city of Fort Wayne, Indiana.

1. West Jefferson Boulevard improvements, including, but not limited to, improvements to West Jefferson Boulevard from Swinney Park to Lindenwood Avenue.

2. Downtown redevelopment area improvements, including, but not limited to, improvements to Ewing Street, South Harrison Street, Douglas Avenue, Brackenridge Avenue, Baker Street, Fairfield Avenue, Van Buren Street, Superior Street and Wayne Street.

3. Summit Industrial Park, northwest industrial area improvements, including, but not limited to, Huguenard Road widening and improvement, Congressional Drive widening and improvement, Steeple Chase sewer upgrades and improvements to Ludwig Road.

4. Hanna/Creighton area utility infrastructure improvements and improvements to Pontiac Street and Oxford Street.

5. Wayne Trace area improvements, including Pontiac intersection improvements, Oxford Street improvements, Wayne Trace improvements and South Anthony Boulevard improvements.

6. Airport area improvement projects, including, but not limited to, Ardmore water line extension and road improvements to Fairfield, Lower Huntington, Tillman, Airport Expressway, Paulding, South Anthony and Indianapolis Road.

7. Rolling Mills area improvements, including, but not limited to, roadway improvements to Freeman Avenue and Taylor Street.

8. Washington Center and Coldwater area improvements, including, but not limited to, improvement projects at the St. Joe Road/Evard Road intersection, the Rothman Road/Evard Road intersection and improvements to North Clinton Street.

9. Centennial Industrial Park area projects, including, but not limited to, improvements to the State Street and Wells Street intersection and improvements to Spring Street and Leesburg Road.

RESOLUTION NO. 89-15-6

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM THE CITY OF FORT WAYNE, INDIANA, MOTOR VEHICLE HIGHWAY FUND REVENUE BONDS OF 2002

==========

WHEREAS, the City of Fort Wayne, Indiana (the "City"), will consider issuing the City of Fort Wayne, Indiana, Motor Vehicle Highway Fund Revenue Bonds of 2002, in one or more series, (the "Bonds"), for the purpose of providing funds to provide for all or any portion of the projects described on Exhibit A attached hereto and incorporated herein by reference (collectively, the "Project"); and

WHEREAS, a form of bond ordinance, authorizing the issuance of City of Fort Wayne, Indiana, Motor Vehicle Highway Fund Revenue Bonds, in a principal amount not to exceed One Million One Hundred Thousand and 00/100 Dollars ($1,100,000.00) (the "Bonds"), to finance the Project (the "Bond Resolution"), shall be prepared and presented to the Common Council of the City; and

WHEREAS, certain preliminary costs in financing the Project, have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Bonds; and

WHEREAS, the City reasonably expects such preliminary costs of the Project be reimbursed from proceeds of the Bonds; and

WHEREAS, Board desires to declare the official intent of the City and the Commission, pursuant to I.C. 5-1-14-6(c) and §1.150-2 of the Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"), that said preliminary costs be reimbursed from the proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board hereby declares the official intent of the City and the Commission, pursuant to I.C. 5-1-14-6(c) and §1.150-2 of the Treasury Regulations, that preliminary costs incurred by or on behalf of the City in financing the construction of the Project be reimbursed from the proceeds of the Bonds.

2. This resolution shall be in full force and effect from and after its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on January 16, 2002, at the City-County Building, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter-Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

EXHIBIT A

PROJECT DESCRIPTION

The construction and equipping of a new transportation facility on Young Road to include a garage for street department trucks and storage bins for materials and supplies with a new salt dome that can store at least 3,000 tons of salt.

IMPROVEMENT RESOLUTION NO. 6826-01

PUBLIC SIDEWALK CURB RAMP PROGRAM - YEAR 2001 INTERSECTIONS PACKAGE VI

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BY ALTERING EXISTING AREAS, ELEMENTS & FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND RAMPS AND RAMPS AT VARIOUS LOCATIONS ON BAXTER STREET, MILTON STREET, GAYWOOD DR. & THE INTERSECTION OF CHADWICK & STRATHDON.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 16 day of January, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6830-01

JEFFERSON BOULEVARD AT FREEMAN STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

JEFFERSON BOULEVARD AT FREEMAN STREET BY RESETTING/REPLACING GUARDRAIL ALONG THE SOUTHWEST SIDE; WIDEN THE INTERSECTION'S SOUTHWEST CORNER RADIUS; STABILIZE THE OPEN DRAINAGE DITCH BANK; INSTALL AN INLET, CURB, CURB RAMP AND SIDEWALK ON SOUTHEAST CORNER AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 16 day of January, 2001.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BACKWASH RECYCLE AND DECHLORINATION
RESOLUTION NO. 1108-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of backwash recycle piping and dechlorination improvements at the Three River Water Filtration Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "BACKWASH RECYCLE AND DECHLORINATION (project).

Declares the cost of the said improvements shall be paid by the funds from the City of Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire no property rights with this project.

States there are no costs associated with the purchase of any land or easements with this project.

Declares the engineer's estimate of the project's total cost is $125,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 16th DAY OF Jan., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6834-02

HOBSON ROAD: LAKE AVENUE TO STATE BOULEVARD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

HOBSON ROAD FROM LAKE AVENUE TO STATE BOULEVARD BY CEMENT CONCRETE PAVEMENT CRACK/SEAT; BITUMINOUS PAVEMENT OVERLAY AND MARKING; CURB AND DRIVEWAY RECONSTRUCTION; CURB RAMP CONSTRUCTION; STORMWATER DRAINAGE REHABILITATION; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 25th day of Jan., 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER_____

Resolution Concerning need for Consultant Services To Provide Surveying, Drafting, Inspection, and/or Design Services for the Transportation Engineering Services Department

Whereas, the Transportation Engineering Services Department has the need for survey, drafting, inspection and/or design services for various projects; and,

Whereas, the Transportation Engineering Services Department does not have the required resources to perform the volume of work assigned; and

Whereas, Water Resources Department, City Utilities has executed a similar contract for those on-call services; and

Whereas, the Transportation Engineering Services Department may need consultant services to perform such work; and

Now, Therefore, the Board of Public Works hereby resolves to hire consultants on an as needed basis with an established hourly rate for services needed by the Transportation Engineering Services Department for various projects.

Approved this 25th day of Jan., 2002

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
Denise Porter-Ross, Member

By _____
John Suarez, Member

Attest: _____
Carolyn S. Newport, Clerk
Board of Public Works

IMPROVEMENT RESOLUTION NO. 6837-02
DAYTON AVE: ALLEY RECONSTRUCTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE ALLEY THAT RUNS FROM DAYTON AVE. TO SOUTH WAYNE, NORTH OF DAYTON AVE. AND SOUTH OF NUTTMAN AVE. BETWEEN SOUTH WAYNE AVE. AND FAIRFIELD AVE. BY RECONSTRUCTING THE EXISTING ALLEY WITH NEW CEMENT CONCRETE PAVEMENT.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR NEW ALLEY INSTALLATION shall be assessed 75% on the real estate abutting on said improvements and 25% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 28th day of January, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6837-02
DAYTON AVE: ALLEY RECONSTRUCTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE ALLEY THAT RUNS FROM DAYTON AVE. TO SOUTH WAYNE, NORTH OF DAYTON AVE. AND SOUTH OF NUTTMAN AVE. BETWEEN SOUTH WAYNE AVE. AND FAIRFIELD AVE. BY RECONSTRUCTING THE EXISTING ALLEY WITH NEW CEMENT CONCRETE PAVEMENT.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR NEW ALLEY INSTALLATION shall be assessed 75% on the real estate abutting on said improvements and 25% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 25th day of Jan., 2002

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: ALLEY BETWEEN S. WAYNE , FAIRFIELD , NUTTMAN , & D **RES. NO.: 6837- 02**

BID DATE: **B.O. NO.: 228 - 98**

ITEM O.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE	823	S.Y.	$7.50	$6,172.50
2.	COMMON EXCAVATION	97	C.Y.	$10.00	$970.00
3.	CEMENT CONCRETE PAVEMENT PLAIN 7"	802	S.Y.	$26.50	$21,253.00
4.	CONCRETE SIDEWALK (4")	20	S.Y.	$20.00	$400.00
5.	CEMENT CONCRETE PAVEMENT FOR ALLEY APPROACH (8")	22	S.Y.	$28.00	$616.00
6.	CEMENT CONCRETE PAVEMENT FOR DRIVEWAYS (6") (UNDISTRIBUTED ITEM)	100	S.Y.	$25.00	$2,500.00
7.	TYPE " O " COMPACTED AGG. # 53	125	TON	$13.50	$1,687.50
8.	CASTING ADJUSTED TO GRADE	3	EA	$135.00	$405.00
9.	CASTING FURNISHED & ADJUSTED TO GRADE TYPE " A "	1	EA	$375.00	$375.00
10.	TOP SOIL	25	TON	$15.00	$375.00
11.	MULCHED SEEDING	200	S.Y.	$1.25	$250.00
12.	BACK FILL SIDE OF ALLEY	70	TON	$7.50	$525.00
13.	STANDARD BARRICADE , TYPE III	4	EA	$65.00	$260.00
14.	CONSTRUCTION SIGN TYPE " A "	4	EA	$70.00	$280.00
15.	MAINTENANCE OF TRAFFIC	1	L.S.	$1,500.00	$1,500.00
16.	MOBILIZATION and DEMOBILIZATION	1	L.S.	$2,000.00	$2,000.00

SUB-TOTAL:	$39,569.00
E&I @16%	6,331.04
TOTAL:	**$45,900.04**

WATER POLLUTION CONTROL PLANT
"HEADWORKS PROJECT"
RESOLUTION NO. 642-2002

WPCP Improvements Package No. 1
Preliminary and Secondary Treatment Facilities

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

WHEREAS, The existing Water Pollution Control Plant raw wastewater pumping and grit chamber was constructed in 1940 and that equipment and structures are now in need of replacement; and

WHEREAS, Facilities planning, value engineering, capital planning, and sewer rate increase have been completed in support of this project.

WHEREAS, Final design plans and specification were completed in December, 2001 for construction of new raw wastewater pump, screening and grit removal facilities; and

WHEREAS, It is the goal of the City of Fort Wayne to complete improvement and expansion projects at the Water Pollution Control Plant to increase Plant capacity to 85 million gallons per day (MGD); and

WHEREAS, This Headworks project is the first major project of two WPC Plant improvements projects to meet the 85 MGD goal so that Water Pollution Control Plant projects are compatible with the City's Combined Sewer Overflow Long Term Control Plan and Facilities Improvement Plan.

NOW THEREFORE BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne Indiana that authorizes bidding and construction of wastewater treatment facility buildings and concrete structures including site work, yard piping, structural, architectural, process piping and equipment, plumbing, heating, ventilation, air conditioning, electrical and instrumentation and control. The project includes construction of new preliminary treatment facilities and improvements to the existing secondary treatment facilities. Facilities include:

1. New sewers and hydraulic control structures influent to the plant.
2. New levee and floodwall.
3. New wastewater screening facilities.
4. New raw wastewater pumping facilities.
5. New grit removal facilities.
6. New utility tunnel and effluent conduit.
7. Improvements to existing return activated sludge (RAS) pumping facilities.
8. Improvements to existing RAS and waste activated sludge (WAS) metering facilities.
9. Improvements to existing secondary clarification facilities.

SCHEDULE:

Bid Opening	February 13, 2002 (extended from original date of February 6, 2002)
Notice to Proceed	April, 2002
Substantial Completion	Spring of 2004
Final Completion	Summer of 2004

Engineers' Estimate:
(to be announced on February 13, 2002 prior to opening bids…$18,000,000 to $20,000,000)

APPROVED THIS 25th DAY OF Jan, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: John Suarez
John Suarez, Member

BY: Denise Porter Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

RESOLUTION TO APPROVE/RENEW
CITY OF FORT WAYNE TAXI PERMIT

WHEREAS; The City of Fort Wayne Taxi Ordinance (Fort Wayne City Code, Chapter 28) authorizes the Board of Pubic Works to approve and renew taxi permits annually; and

WHEREAS; The taxi service known as **AAA TAXI SERVICE** has filed an application for a taxi permit, as required by the Taxi Ordinance, and has met all City Code requirements for a taxi service operation;

NOW THEREFORE; The Board of Public Works of the City of Fort Wayne, Indiana hereby approves/renews the permit of said taxi service until July 26, 2002;

SIGNED THIS 25th DAY OF Jan., 2002;

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

WAYNE TOWNSHIP NATURAL DRAIN #4
DITCH IMPROVEMENT
RESOLUTION NO. 657-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the improvement of WAYNE TOWNSHIP NATURAL DRAIN #4 from Anthony Blvd. to Decatur Road. Said improvement shall include: removal and haul-away of trees, dead trees and/or tree limbs and accumulated brush, debris, silt and sand from the ditch bottom; removal of trees with exposed roots and/or leaning trees from ditch banks; proper ditch channel re-grading, reshaping, straightening and stabilization with gabions and rip-rap; replacement of two (2) damaged culvert pipes under Fayette Drive; and complete site restoration.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "WAYNE TOWNSHIP NATURAL DRAIN #4 IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the titled "WAYNE TOWNSHIP NATURAL DRAIN #4 IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "WAYNE TOWNSHIP NATURAL DRAIN #4 IMPROVEMENT" project is of public utility and benefit.

Declares the "WAYNE TOWNSHIP NATURAL DRAIN #4 IMPROVEMENT" project does not require the acquisition of property rights (permanent sewer and drainage easements).

Declares the engineer's estimate of "WAYNE TOWNSHIP NATURAL DRAIN #4" project's total cost is $471,000.000.

Declares the "WAYNE TOWNSHIP NATURAL DRAIN #4 IMPROVEMENT" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 30th **DAY OF** June, **2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: Denise Porter-Ross
Denise Porter-Ross, Member

IMPROVEMENT RESOLUTION NO. 6857-02
KERN VALLEY DRIVE & FOLSUM DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **7400-7500 KERN VALLEY DRIVE & 1600 FOLSUM DRIVE - SPOT REPAIR OF CONCRETE PAVEMENT & RECONSTRUCTING NEW ADA CURB RAMPS.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 30th day of Jan, 20 02.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6804-01

JEFFERSON BLVD, W: RAILROAD VIADUCT TO ST. MARY'S RIVER BRIDGE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

JEFFERSON BOULEVARD, WEST FROM CSX RAILROAD VIADUCT TO THE BRIDGE OVER THE ST. MARY'S RIVER BY PAVEMENT WIDENING; TO ADD A CENTER BI-DIRECTIONAL LEFT TURN LANE; WEDGING/LEVELING, RESURFACING AND MARKING; CURB CONSTRUCTION; STORM SEWER INSTALLATION; DRIVEWAY APPROACH RECONSTRUCTION; STREET LIGHTING RELOCATION/UPGRADE; BRIDGE SAFETY DEVICE (TRAFFIC IMPACT ATTENUATOR, GUARDRAIL BARRIER WALL) INSTALLATION; LANDSCAPING AND GRASS SEEDING RESTORATION; AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of Jan., 2002

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

HICKORY GROVE / WAYCROSS DRIVE
STORMWATER IMPROVEMENT
RESOLUTION NO. 647-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of stormwater system improvements in the Hickory Grove Addition, including approximately 2,367 lineal feet of storm system and appurtenant structures, from the intersections of Waycross Drive and Sundale Drive, Waycross Drive and Elmdale Drive, and Waycross Drive and Homedale Drive eastward to Wayne Township Natural Drain #4.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "HICKORY GROVE / WAYCROSS DRIVE STORMWATER IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "HICKORY GROVE / WAYCROSS DRIVE STORMWATER IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "HICKORY GROVE / WAYCROSS DRIVE STORMWATER IMPROVEMENT" project is of public utility and benefit.

Declares that the Board of Stormwater Management will acquire the property rights described in Exhibit "A" (Property Acquisition Summary sheet) by the method described in Exhibit "A", and states that the maximum proposed cost of land to be purchased is $2,170.00.

Declares the engineer's estimate of the project's total cost is $201,000.00.

Declares that the project will not change fees currently paid by area property owners.

ADOPTED THIS 30th **DAY OF** Jan. **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart , Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

EXHIBIT "A"

PROPERTY ACQUISTION SUMMARY
CITY OF FORT WAYNE
HICKORY GROVE/WAYCROSS DRIVE STORMWATER IMPROVEMENTS

Parcel No.	Owner	Property Address	Sheet No.	Source of Title	Total Area		Sewer and Drainage Easement		Temporary Easement		Remarks
					Acre	Sq. Ft.	Acre	Sq. Ft.	Acre	Sq. Ft.	
1	East Allen County Schools	Parcel located in Adams Twp, NE 30 T30N R13E, Parcel 32	Q-23		20.0	871,200	0.77	33,623	0.53	22,913	East Allen County Schools 1240 State Road 930 East New Haven, IN 46806 219-446-0100

WATER POLLUTION CONTROL PLANT
AERATION CONTROL PANEL PHASE-OUT
RESOLUTION NO. 659-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of instrumentation and control facilities that will allow for the phase-out of the aeration control panel at the Water Pollution Control Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **"WPCP AERATION CONTROL PANEL -PHASE OUT"** (project).

Declares the cost of the said improvements shall be paid by the funds from the City of Fort Wayne Sewer Utility Revenue Fund.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility and benefit.

Declares Board of Public Works will acquire no property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $680,000.

Declares the project will not change fees currently paid to property owners in this area.

APPROVED THIS 6th DAY OF Feb., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6856-02
MAPLE GROVE AVE: CALHOUN STREET TO MONTROSE AVENUE AND CALUMET AVENUE TO LAFAYETTE STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
MAPLE GROVE AVENUE FROM CALHOUN STREET TO MONTROSE AVENUE AND FROM CALUMENT AVENUE TO LAFAYETTE STREET BY RECONSTRUCTING THE CURBS, SIDEWALKS, DRIVE APPROACHES, AND MILLING AND RESURFACING OF THE STREET.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, SIDEWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RESURFACING shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 6th day of Feb, 20__.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

C=Curbing @$ /L.F. E=Sidewalks @$ /L.F.
H=Drive Appraoach @$ /S.Y. I=Yd. Walks @$ /s.y.

Maple Grove---Curb, Sidewalk, Drives & Street Improvements

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $	
	MCDOWELL	C	10.5	91	$955.50		$10.50
	#301	E	10.5	92	$966.00		10.5
933232031	319 E. MAPLE GROVE	H	22	25	$550.00		22
		I	16.5	2	$33.00		16.5
				TOTAL	$2,504.50	$2,504.50	
	BYRD	C	10.5	38	$399.00		
	#302	E	10.5	26	$273.00		
9332320302	315 E. MAPLE GROVE	H	22	16.5	$363.00		
		I	16.5	2	$33.00		
				TOTAL	$1,035.00	$1,035.00	
	TIGGES	C	10.5	80	$840.00		
	#303 & #304	E	10.5	20	$210.00		
9332320303	309 E. MAPLE GROVE	H	22	13	$286.00		
		I	16.5	0	$0.00		
				TOTAL	$1,336.00	$1,336.00	
	BUCKLIN	C	10.5	40	$420.00		
	#305	E	10.5	28	$294.00		
9332320305	301 E. MAPLE GROVE	H	22	16.5	$363.00		
		I	16.5	2	$33.00		
				TOTAL	$1,110.00	$1,110.00	
	SOMMER	C	10.5	40	$420.00		
	#306	E	10.5	28	$294.00		
9332320306	267 E. MAPLE GROVE	H	22	16.5	$363.00		
		I	16.5	0	$0.00		
				TOTAL	$1,077.00	$1,077.00	
	HOERSTEN	C	10.5	45	$472.50		
	#307	E	10.5	33	$346.50		
9332320307	265 E. MAPLE GROVE	H	22	16.5	$363.00		
		I	16.5	0	$0.00		
				TOTAL	$1,182.00	$1,182.00	
	HINES	C	10.5	52	$546.00		
	#308	E	10.5	40	$420.00		
9332320308	261 E. MAPLE GROVE	H	22	16	$352.00		
		I	16.5	2	$33.00		
				TOTAL	$1,318.00	$1,318.00	
	SALAZAR	C	10.5	63	$661.50		
	#309	E	10.5	54	$567.00		
9332320309	4721 LAFAYETTE ESP.	H	22	26	$572.00		
		I	16.5	0	$0.00		
				TOTAL	$1,800.50	$1,800.50	
	BRAICO	C	10.5	85	$892.50		
	#326	E	10.5	80	$840.00		
9332320326	4716 LAFAYETTE ESP.	H	22	16.5	$363.00		
		I	16.5	0	$0.00		
				TOTAL	$2,095.50	$2,095.50	
	MCCRAY	C	10.5	59.6	$625.80		
	#327	E	10.5	48	$504.00		
9332320327	209 E. MAPLE GROVE	H	22	16.5	$363.00		
		I	16.5	2	$33.00		
				TOTAL	$1,525.80	$1,525.80	

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $
	BORKENSTEIN	C	10.5	40	$420.00	
	#328	E	10.5	33	$346.50	
9332320328	205 E. MAPLE GROVE	H	22	10	$220.00	
		I	16.5	0	$0.00	
				TOTAL	$986.50	$986.50
	RUTLAND	C	10.5	40	$420.00	
	#329	E	10.5	30	$315.00	
9332320329	2715 INWOOD DR.	H	22	13	$286.00	
		I	16.5	2	$33.00	
				TOTAL	$1,054.00	$1,054.00
	ADKISON	C	10.5	40	$420.00	
	#330	E	10.5	28	$294.00	
9332320330	125 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	0	$0.00	
				TOTAL	$1,077.00	$1,077.00
	MUDD	C	10.5	40	$420.00	
	#331	E	10.5	28	$294.00	
9332320331	121 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$1,110.00	$1,110.00
	ORIORDAN	C	10.5	40	$420.00	
	#332	E	10.5	28	$294.00	
9332320332	117 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$1,077.00	$1,077.00
	MARTINEZ	C	10.5	40	$420.00	
	#333	E	10.5	28	$294.00	
9332320333	113 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$1,077.00	$1,077.00
	MENDEZ	C	10.5	124	$1,302.00	
	#334	E	10.5	112	$1,176.00	
9332320334	101 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$2,841.00	$2,841.00
	LEON	C	10.5	124	$1,302.00	
	#347	E	10.5	110	$1,155.00	
9332320347	4801 S. CALHOUN ST.	H	22	19	$418.00	
		I	16.5	0	$0.00	
				TOTAL	$2,875.00	$2,875.00
	CARDONE	C	10.5	105	$1,102.50	
	#366	E	10.5	93	$976.50	
9332320366	216 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$2,442.00	$2,442.00
	DITSLEAR	C	10.5	44	$462.00	
	#367	E	10.5	21	$220.50	
9332320367	204 E. MAPLE GROVE	H	22	8	$176.00	
		I	16.5	0	$0.00	
				TOTAL	$858.50	$858.50
	KIRBACH	C	10.5	45	$472.50	
	#368	E	10.5	33	$346.50	
9332320368	202 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$1,215.00	$1,215.00

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $
	HISCUTT	C	10.5	45	$472.50	
	#369	E	10.5	32	$336.00	
9332320369	130 E. MAPLE GROVE	H	22	18	$396.00	
		I	16.5	2	$33.00	
				TOTAL	$1,204.50	$1,204.50
	HODGDON	C	10.5	45	$472.50	
	#370	E	10.5	33	$346.50	
9332320370	120 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	0	$0.00	
				TOTAL	$1,182.00	$1,182.00
	DILLMAN	C	10.5	68.5	$719.25	
	#371	E	10.5	57	$598.50	
9332320371	116 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	1	$16.50	
				TOTAL	$1,697.25	$1,697.25
	MANOJLOVIC	C	10.5	86	$903.00	
	#406	E	10.5	73	$766.50	
9332320406	258 E. MAPLE GROVE	H	22	17	$374.00	
		I	16.5	2	$33.00	
				TOTAL	$2,076.50	$2,076.50
	FRANKLIN	C	10.5	80	$840.00	
	#416 & #417	E	10.5	68	$714.00	
9332320416	266 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	0	$0.00	
				TOTAL	$1,917.00	$1,917.00
	HELD	C	10.5	40	$420.00	
	#418	E	10.5	28	$294.00	
9332320418	302 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	0	$0.00	
				TOTAL	$1,077.00	$1,077.00
	OCHOA	C	10.5	40	$420.00	
	#419	E	10.5	28	$294.00	
9332320419	304 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	2	$33.00	
				TOTAL	$1,110.00	$1,110.00
	JETT	C	10.5	40	$420.00	
	$420	E	10.5	28	$294.00	
9332320420	306 E. MAPLE GROVE	H	22	16.5	$363.00	
		I	16.5	0	$0.00	
				TOTAL	$1,077.00	$1,077.00
	MANTH	C	10.5	45	$472.50	
	#421	E	10.5	35	$367.50	
9332320421	316 E. MAPLE GROVE	H	22	13	$286.00	
		I	16.5	2	$33.00	
				TOTAL	$1,159.00	$1,159.00
	REEVES	C	10.5	90	$945.00	
	N.32 #431 & ALL	E	10.5	79	$829.50	
9332320431	#432	H	22	26	$572.00	
	320 E. MAPLE GROVE	I	16.5	2	$33.00	
				TOTAL	$2,379.50	$2,379.50

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $

SIDEWALK 1454 LF

Removal	807.78	4.00	$3,231.11
Replace	807.78	20.00	$16,155.56
Bed Coarse	290.80	6.50	$1,890.20
Topsoil	116.32	10.00	$1,163.20
Seed	359.01	2.00	$718.02
TOTAL COST			$23,158.09
+MOB BAR ADV.			$2,315.81
TOTAL COST			$25,473.90

Cost /lf $17.52
P.O. / LF **$10.51**

Mob	4656.00
signs	400.00
maint	3725.00
subtot	8781.00
adv	200.00
total	8981.00

Total Proj	101500.00
LessMSM	-8781.00
Proj cost	92719.00

%of proj 0.0968626

sidewalk
topsoil
Bed Coarse
curb
topsoil

curbface
Bed Coarse

Drive 6"
Bed Coarse

Drive 8"
Bed Coarse

CURB 1855.1 LF

Removal	1855.10	4.00	7420.40
Replace	1855.10	10.00	18551.00
Backfill	137.41	8.75	1202.38
Topsoil	103.06	10.50	1082.14
Seed	618.37	2.00	1236.73
TOTAL COST			29492.65
+MOB BAR ADV.			2949.27
TOTAL COST			32441.92

Cost /lf $17.49
P.O. / LF **$10.49**

topsoil
bed coarse

YD. WALK 35 SY

Removal	35.00	4.85	169.75
Replace	35.00	20.00	700.00
Bed Coarse	1.94	3.00	5.83
TOTAL COST			875.58
+MOB BAR ADV.			87.56
TOTAL COST			963.14

Cost /sy $27.52
P.O. / sy **$16.51**

6"DRIVE 517.5 SY

Removal	517.5	7.00	3622.50
Replace	517.5	25.00	12937.50
Bed Coarse	86.25	8.00	690.00
TOTAL COST			17250.00
+MOB BAR ADV.			1725.00
TOTAL COST			18975.00

Cost /sy $36.67
P.O. / sy **$22.00**

IMPROVEMENT RESOLUTION NO. 6858-02
MISCELLANEOUS CONSTRUCTION PACKAGE 5-A-02

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

WEST SIDE OF 4500, 4600 & 4700 BLOCKS OF S. HANNA STREET WITH SIDEWALK & DRIVE; 4300 & 4400 BLOCKS OF S. MONROE WITH ADA RAMPS, SIDEWALK, DRIVES, DRAINAGE, AND CURB; 400,500, & 600 BLOCK OF E. RUDISILL WITH SIDEWALK AND DRIVES; AND THE 2500 BLOCK OF SOUTH WAYNE WITH SIDEWALK AND DRIVE; ALL AREAS DISTURBED WILL BE MULCHED, SEEDED, AND RESTORED.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

This project is partially funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 6th day of Feb, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

Robert C. Crosby
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: MISC. PKG. 5-- A -- 02 SIDEWALK IMPROVEMENTS **RES. NO.: 6858 - 02**

BID DATE: **B.O. NO.: (262-97) (213 - 02)**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CURB	175	LF.	$5.00	$875.00
2.	REMOVAL OF CONCRETE	2,206	SY	$5.50	$12,133.00
3.	CONCRETE CURB TYPE " 1-B "	175	LF.	$12.00	$2,100.00
4.	CONCRETE SIDEWALK (4 ")	1,840	SY.	$22.00	$40,480.00
5.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVES (6 ")	218	SY.	$28.00	$6,104.00
6.	CONCRETE WINGWALK and CURB RAMPS	120	SY.	$25.00	$3,000.00
7.	BEDDING MATERIAL (B- BORROW)	351	TONS	$8.00	$2,808.00
8.	TOP SOIL	236	TONS	$12.00	$2,832.00
9.	MULCHED SEEDING	1,400	SY.	$2.00	$2,800.00
10.	WATER VALVES ADJUSTED TO GRADE	15	EA.	$50.00	$750.00
11.	WATER VALVES FURNISHED and ADJUSTED TO GRADE	5	EA.	$85.00	$425.00
12.	CASTING TYPE " C " FURNISHED and ADJUSTED TO GRADE	2	EA.	$400.00	$800.00
13.	CASTINGS ADJUSTED TO GRADE	2	EA.	$100.00	$200.00
14.	TREE REMOVE (24 ")	2	EA.	$300.00	$600.00
15.	TREE PLANTING Honey Locust	2	EA.	$300.00	$600.00
16.	CONSTRUCTION SIGNS TYPE "A "	14	EA.	$75.00	$1,050.00
17	MAINTENANCE OF TRAFFIC	1	LS.	$3,100.00	$3,100.00
18	MOBILIZATION and DEMOBILIZATION	1	LS.	$4,050.00	$4,050.00

SUB-TOTAL:	$84,707.00
E&I @16%	13,553.12
TOTAL:	**$98,260.12**

FOREST AVENUE AREA STORM SEWERS IMPROVEMENTS
RESOLUTION NO. 583-1998

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of new storm sewer facilities, ranging in size from 12 inches to 48 inches in diameter and in conjunction with the City's Combined Sewer Capacity Improvements Program. This sewer and other associated improvements will reduce the amount of storm drainage currently entering the combined sewer in this area. The present situation has caused flooding and basement backups within the vicinity.

This project consists of the construction of a new storm sewers ranging in size from 12-inch to 48-inch, with associated inlet and outlet control structures. The new storm sewer system will discharge to the Pleasant Avenue Storm Water Pumping Station located at Pleasant Ave and Forest Avenue.

The project begins near the intersection of Pleasant Avenue and Forest Avenue south of State Street with construction of a new 48-inch storm sewer, then proceeds east on Forest Avenue to Bayer Avenue, then north and south on Bayer Avenue to Northwood Boulevard and Shore Drive respectively. Storm sewers and associated manholes and inlets will also be installed in the following streets: Shore Drive, Alley parallel and due south of State Street, Kentucky Avenue, McDougal Avenue, St. Joseph Avenue, and Romy Avenue. A total of approximately 8,400 linear feet of pipe ranging in size from 12-inches to 48-inches is proposed.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "Forest Avenue Area Storm Sewer Improvements - Subbasin O10101".

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States the maximum proposed cost associated with the purchase of any land associate with this project is $ 7,000.

Declares the engineer's estimate of the project's total cost is $1,530,000.

Declares this project will not change fees currently paid by property owners in project area.

APPROVED THIS 6th DAY OF Feb, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTACHMENT A
FOREST AVE AREA STORM SEWERS PROPERTY ACQUISITION SUMMARY

Parcel No.	Owner	Property Address/Location	Sheet Numbers	Source of Title Deed Record Number	Sewer and Drainage Easement (sq. ft.)	Temporary Construction Easement (sq. ft.)	Remarks
1	Jana Measley and Jody A. Norton	1051 Forest Ave., Fort Wayne		Deed Record 89-3738	N/A	1,228	Fence replacement costs included
6	Catherine E. Manuilow	913 Northwood Boulevard		Deed Record 980006416	N/A	400	Fence replacement costs included
7	Helen J. Russell	909 Northwood Boulevard		Deed Book 615, Page 73	N/A	400	Fence replacement costs included

ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 89-32-18

WHEREAS, on January 31, 2001 the Board of Public Works, by Resolutions Nos. 88-28-7A, 7B, 7C, 7D, 7E, 7F, and 7G established the following area connection fees for real estate served by the Fort Wayne Waste Water Disposal Plant:

Spy Run Service Area	One Thousand One Hundred Fifty Eight Dollars and 00/100 ($1158.00)
Junk Ditch Service Area	One Thousand One Hundred Fifty Eight Dollars and 00/100 ($1158.00)
St. Joe Service Area	One Thousand One Hundred Fifty Eight Dollars and 00/100 ($1158.00)
Southwest Service Area	One Thousand Four Hundred Seventy Six Dollars and 00/100 ($1476.00)
St. Mary's Service Area	One Thousand Forty Eight Dollars and 00/100 ($1048.00)
North Maumee	Two dollars and ninety two cents ($2.92) per gallon and One dollar and six cents ($1.06) per gallon
Infiltration/Inflow Fee	Sixty eight cents ($.68) per gallon

and on December 26, 2001 adopted the following specific Equivalent Residential Units (ERUs) fees for certain shed areas served by the St. Joe Regional Sewer Service Plan, to wit:

Shed AIX	$1095.85
Shed 1B West	$1096.76
Shed 1B East	$1094.04
Shed 1C	$1094.03
Shed 1D	$1053.61

and,

WHEREAS, both Resolution No. 74-22-06 and the Resolution adopting ERU fees for the St. Joe Regional Sewer Service Plan provided for adjustment of the area connection and ERU fees to reflect inflationary increases; and,

WHEREAS, both aforementioned Resolutions also provided that said adjustment shall be based on the increase of the Consumer Price Index as published by the Department of Labor for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, for the purposes of this Resolution, the inflation rate of a given year shall be based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the December 2000 value of the Consumer Price Index for All Urban Consumers was 521.1; and,

WHEREAS, the December 2001 value of the Consumer Price Index for All Urban Consumers was 529.2.

NOW, THEREFORE, in consideration of the foregoing statements **BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fees for all the aforementioned Sewer Service Areas will be adjusted for inflation from December 2000 through December 2001 using the Consumer Price Index for All Urban Consumers.

2. The area connection fees and ERU fees for the Service areas identified below for will be set from February 15, 2002 to February 14, 2003.

Spy Run Service Area	One Thousand One Hundred Ninety Dollars and 00/100 ($1190.00)
Junk Ditch Service Area	One Thousand One Hundred Ninety Dollars and 00/100 ($1190.00)
St. Joe Service Area	One Thousand One Hundred Ninety Dollars and 00/100 ($1190.00)
Southwest Service Area	One Thousand Five Hundred Seventeen Dollars and 00/100 ($1517.00)
St. Mary's Service Area	One Thousand Seventy Seven Dollars and 00/100 ($1077.00)
North Maumee	Three Dollars and 00/100 ($3.00) per gallon and One dollar and nine cents ($1.09) per gallon
Infiltration/Inflow Fee	Seventy cents ($.70) per gallon

Equivalent Residential Units (ERUs) fees for certain shed areas served by the St. Joe Regional Sewer Service Plan:

Shed AIX	$1126.53
Shed 1B West	$1127.46
Shed 1B East	$1124.67
Shed 1C	$1124.66
Shed 1D	$1083.11

PASSED THIS 6 tek **DAY OF** Feb **2002**

BOARD OF PUBLIC WORKS

By: _____
Ted Rhinehart, Chairman

By: _____
John Suarez, Member

By: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez, and Denise Porter-Ross,** all as Members of the Board of Public Works, and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 6th day of February 2002.

Notary Public Rhonda Miller

Printed Name of Notary

Resident of _____County

My Commission Expires:

RHONDA S. MILLER
Notary Public, State of Indiana
County of Allen
My Commission Expires Sep 16, 2007

Document Prepared by:
Jack G. Suter, City Utilities

IMPROVEMENT RESOLUTION NO. 6831-02

SPRING STREET: TYLER AVENUE TO WELLS STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

SPRING STREET FROM TYLER AVENUE TO WELLS STREET BY PAVEMENT MILLING WEDGE/LEVELING, RESURFACING AND MARKING; CURB, DRIVEWAY APPROACH AND SIDEWALK RECONSTRUCTION AS NECESSARY; CURB RAMP CONSTRUCTION; STORMWATER DRAINAGE STRUCTURE REHABILITATION AS NECESSARY; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of Feb., 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOWSER, CALHOUN, KENWOOD – WATER MAIN REPLACEMENTS RESOLUTION NO. 1099-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,930 LF of 6" water main, six (6) fire hydrants, 84 services and all other appurtenances necessary for this project. Project also includes asphalt overlay of Bowser Avenue and Kenwood Avenue.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "BOWSER, CALHOUN, KENWOOD – WATER MAIN REPLACEMENT PROJECTS"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue) and TES.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $350,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 13 DAY OF February, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6860-02
PRANGE AVENUE: TACOMA AVENUE TO BEAVER AVENUE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
PRANGE AVENUE: TACOMA AVENUE TO BEAVER AVENUE BY RECONSTRUCTING THE CURBS, DRIVE APPROACHES, AND MILLING AND RESURFACING OF THE STREET.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RESURFACING shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 13th day of Feb, 2002

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6854-02
SHERWOOD TERRACE, WEST: HARTMAN RD TO STRATFORD RD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
SHERWOOD TERRACE, WEST FROM HARTMAN ROAD TO STRATFORD RD BY RECONSTRUCTING THE CURBS, SIDEWALKS, DRIVE APPROACHS, AND MILLING AND RESURFACING OF THE STREET.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RESURFACING shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 13th day of Feb, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6853-02
MISCELLANEOUS CONSTRUCTION PKG 1-A-2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
220 ESMOND ST., 1631 COLUMBIA AVE, 1415 CALHOUN ST., 3327 PONTIAC ST., 1338 ELIZA ST., 1610 LEWIS ST., AND 2012 FOREST VALLEY DRIVE, COMMON WALKWAY FOR DRIVING PARK ADD.: FLORIDA DRIVE TO ANTHONY BLVD.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS, SIDEWALKS AND DRIVE APPROACHES on 1631 Columbia, 1415 Calhoun St., 1610 Lewis St., and 2012 Forest Valley Dr., shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for 3327 Pontiac St., 220 Esmond St., 1338 Eliza St., and Common Walkway for Driving Park Addition: Florida Dr. to Anthony Blvd. shall be assessed 100% on said City, all according to the method and manner provided for in an act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 13th day of Feb., 20 02

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6846-02
MISCELLANEOUS CONSTRUCTION PACKAGE 3-A-02

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **FRANKLIN AVE: FROM MARGARET AVE. TO GREENWOOD AVE. BY RECONSTRUCTION OF CONCRETE CURBS, SIDEWALKS, DRIVE APPROACHES, YARDWALKS, NEW ADA CURBRAMPS, ASPHALT STREET RESURFACING AND MULCHED SEEDING RESTORATION; ARCHER AVENUE: FROM JESSIE AVE. TO POINSETTE DR. BY RECONSTRUCTION OF CONCRETE CURBS, WALKS, DRIVE APPROACHES, YARDWALKS, AND MULCHED SEEDING RESTORATION; POINSETTE AVE: FROM CHEROKEE AVE. TO ARCHER AVE. BY RECONSTRUCTION OF CURBS, DRIVE APPROACHES, YARDWALKS, AND MULCHED SEEDING RESTORATION (WEST SIDE ONLY); LIMA VALLEY DR: @ NORTHBURY DR. BY RECONSTURCTION OF CONCRETE PAVEMENT AT THE SOUTHWEST CORNER OF INTERSECTION, AND RECONSTRUCTION OF NEW ADA CURB RAMP AND MULCHED SEEDING RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 20 day of February, 20 .

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: MISC. PKG. 3-A-02

RES. NO.: 6846-02

DATE: 2-14-2001

B.O. NO.: VARIOUS

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE	940	SY	6.00	5640.00
2.	REMOVAL OF CURB	1865	LF	4.00	7460.00
3.	REMOVAL OF PAVEMENT	270	SY	5.50	1485.00
4.	CONCRETE SIDEWALK	635	SY	24.00	15240.00
5.	CONCRETE ADA CURBRAMPS	33	SY	29.00	957.00
6.	CONCRETE CURBFACE WALK	12	SY	29.00	348.00
7.	CEMENT CONCRETE PAVEMENT 6", 7 BAG MIX, W / SUPERPLASTISIZER	68	SY	36.00	2448.00
8.	CONCRETE CURB TYPE III	1584	LF	12.00	19008.00
9.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	265	SY	28.00	7420.00
10.	CEMENT CONCRETE PAVEMENT 6" (2" RECESSED)	270	SY	25.00	6750.00
11.	BITUMINOUS MATERIAL FOR PATCHING	30	TON	72.00	2160.00
12.	BACKFILL BEHIND CURBS	116	TON	5.00	580.00
13.	SERVICE CURB BOX (TOP SECTION W / LID)	4	EA	35.00	140.00
14.	SERVICE CURB BOX (ADJUST TO GRADE)	16	EA	22.00	352.00
15.	BED COURSE MATERIAL	172	TON	9.00	1548.00
16.	CASTING (ADJUST TO GRADE)	3	EA	150.00	450.00
17.	TOP SOIL	126	TON	12.00	1512.00
18.	MULCHED SEEDING RESTORATION	1130	SY	2.00	2260.00
19.	CONSTRUCTION SIGNS TYPE "A"	18	EA	40.00	720.00
20.	PLASTIC DRUMS W / FLASHERS	78	EA	23.00	1794.00
21.	TREE FERTILIZATION	37	EA	19.00	703.00
22.	MAINTENANCE OF TRAFFIC	1	LS	2500.00	2500.00
23.	MOBILIZATION AND DE-MOBILIZATION	1	LS	4000.00	4000.00

SUB-TOTAL: $85,475.00

E&I @16% $13,676.00

TOTAL: $99,151.00

IMPROVEMENT RESOLUTION NO. 6847-02
MISCELLANEOUS CONSTRUCTION PACKAGE 3-B-02

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **6116 & 6119 RIDGEMONT DRIVE AND 913 ELNORA DRIVE BY RECONSTRUCTION OF NEW CONCRETE SIDEWALK; 3131 ADDISON AVENUE BY RECONSTRUCTION OF CONCRETE SIDEWALK & DRIVE APPROACH; 2308 KLUG DRIVE BY RECONSTRUCTION OF CONCRETE CURB & DRIVE APPROACH; ST. JOE CENTER ROAD, 150+/- EAST OF CLINTON ST. BY RECONSTRUCTION OF CONCRETE PAVEMENT AND CURB; 2655 ETHEL AVE. BY RECONSTRUCTION OF CONCRETE SIDEWALK AND DRIVE APPROACH**.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR SIDEWALKS, CURBS, DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 20 day of February, 2002.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

Lin Wilson, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

BID

CONTRACTOR:

RES. NO.: 6847-02

PROJECT: MISC. PKG. 3-B-02

B.O. NO.: VARIOUS

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE	96	SY		
2.	REMOVAL OF CURB	134	LF		
3.	REMOVAL OF CONCRETE PAVEMENT	178	SY		
4.	CONCRETE SIDEWALK	38	SY		
5.	CONCRETE CURBFACE WALK	25	SY		
6.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE	34	SY		
7.	CEMENT CONCRETE PAVEMENT, 8", (7- BAG MIX W / SUPERPLASTISIZER)	178	SY		
8.	CONCRETE CURB TYPE I-B	32	LF		
9.	CONCRETE CURB TYPE II-A	100	LF		
10.	J-BOLTS	42	EA		
11.	BITUMINOUS MIX FOR PATCHING	2	TON		
12.	BED COURSE MATERIAL	18	TON		
13.	CASTING (ADJUST TO GRADE)	1	EA		
14.	TOP SOIL	8	TON		
15.	MULCHED SEEDING RESTORATION	36	SY		
16.	CONSTRUCTION SIGNS TYPE "A"	11	EA		
17.	ARROWBOARD (FLASHING)	1	EA		
18.	PLASTIC DRUMS W / FLASHERS	70	EA		
19.	MAINTENANCE OF TRAFFIC	1	LS		
20.	MOBILIZATION AND DE-MOBILIZATION	1	LS		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.

CONTRACT COMPLETION DATE - JULY19,2002

The undersigned hereby certifies that all wages paid under this project will meet or exceed the federal Minimum Wage.

_____

Contractors Signature

IMPROVEMENT RESOLUTION NO. 6787-01

EVARD ROAD & ST. JOE ROAD INTERSECTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

EVARD ROAD & ST. JOE CENTER ROAD; TO INCLUDE PAVEMENT WIDENING FOR AUXILIARY TURN LANES, SURFACE MILLING, RESURFACING, NEW TRAFFIC SIGNAL INSTALLATION, CURB REMOVAL, NEW CURB AND GUTTER, PAVEMENT MARKING; GUARDRAIL REPLACEMENT, SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 20 day of February, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Lin Wilson, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

STREET LIGHT RESOLUTION

NUMBER 280-02

2002 C.E.D.I.T. NEIGHBORHOOD STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an aerial street light system in eight (8) neighborhoods, more specifically defined as: Kingston Park Addition; 1800-2000 Coronet Drive; 7100 Karen Court; 6400-6500 Lampwick Lane; 3600-3700 Spruce Drive & 5700 Spruce Lane; 7200-7300 Baylor Drive; 6500-6600 Liberty Drive; and Tamara Place Addition, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 100% by the 2002 CEDIT Funds. All proceedings and any work done in said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Ted Rhinehart – Chairman

John Suarez – Member

Lin Wilson, Member

ATTEST:

Carolyn Newport – Clerk

Dated this 20th Day of February, 2002

IMPROVEMENT RESOLUTION NO. 6859-02
PACKARD AVENUE: INDIANA AVENUE TO SOUTH WAYNE STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
ADA RAMPS, CONCRETE SIDEWALK (SOUTH SIDE ONLY), CURB (BOTH SIDES), RESURFACING, SURFACE MILLING, MULCHED SEEDING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR ADA RAMPS, CURBS, AND SIDEWALKS shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 20 day of February, 2002.

BOARD ~~OF~~ PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

C=Curbing @$ /L.F. E=Sidewalks @$ /L.F.
H=Drive Appraoach @$ /S.Y. I=Yd. Walks @$ /s.y.

KEY N0.	NAME ADDRESS	TYPE	UNIT COST	# 0F UNITS	TOTAL $	TOTAL EST. $
C	SCHAFER	C	$11.90	60	$714.00	
9429440001	KENNETH M.	E	$11.90	60	$714.00	
LOT 1		H	$0.00		$0.00	
&	701 W. PACKARD	I	$0.00		$0.00	
E. 1/2 LOT 2	FT. WAYNE 46807185			TOTAL	$1,428.00	$1,428.00
C	ROGERS	C	$11.90	60	$714.00	
949440003	MARTHA JANE	E	$11.90	60	$714.00	
W. 1/2 LOT 2		H	$0.00		$0.00	
&	709 W. PACKARD	I	$0.00		$0.00	
LOT 3	FT. WAYNE 46807185			TOTAL	$1,428.00	$1,428.00
C	SHAULL	C	$11.90	40	$476.00	
9429440004	PHILIP A	E	$11.90	40	$476.00	
LOT # 4	C/O TRUSTCORP MORTGAGE	H	$0.00		$0.00	
O. S. HANNAS	1 MICHIANA SQ STE 400	I	$0.00		$0.00	
ADD.	SOUTH BEND , IN 46601000			TOTAL	$952.00	$952.00
C	BURKS	C	$11.90	80	$952.00	
9429440005	WILLIAM J. & PAMELA J.	E	$11.90	80	$952.00	
LOTS 5 & 6		H	$0.00		$0.00	
O. S. HANNAS	723 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$1,904.00	$1,904.00
C	HENSLEY HERBERT L. &	C	$11.90	40	$476.00	
9429440007	DIETZER-HENSLEY LOUISE M.	E	$11.90	40	$476.00	
LOT 7		H	$0.00		$0.00	
O. S. HANNAS	727 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	BALL	C	$11.90	40	$476.00	
9429440008	STEVEN C & CARYL L.	E	$11.90	40	$476.00	
LOT 8		H	$0.00		$0.00	
O. S. HANNAS	727 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	SWAGER	C	$11.90	40	$476.00	
9429440009	LOUIS C. & MABEL L.	E	$11.90	40	$476.00	
LOT 9		H	$0.00		$0.00	
O. S. HANNAS	801 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	KIESSLING	C	$11.90	40	$476.00	
9429440010	ANTHONY J. & LAURA A	E	$11.90	40	$476.00	
LOT 10		H	$0.00		$0.00	
O. S. HANNAS	805 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	PUFF	C	$11.90	40	$476.00	
9429440011	LOIS ANN	E	$11.90	40	$476.00	
LOT 11		H	$0.00		$0.00	
O. S. HANNAS	809 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	SIGMAN	C	$11.90	40	$476.00	
9429440012	CLAUD C	E	$11.90	40	$476.00	
LOT 12		H	$0.00		$0.00	
O. S. HANNAS	815 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00
C	ROFFELSEN	C	$11.90	40	$476.00	
9429440013	BILL	E	$11.90	40	$476.00	
LOT 13		H	$0.00		$0.00	
O. S. HANNAS	817 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$952.00	$952.00

KEY N0.	NAME ADDRESS	TYPE	UNIT COST	# 0F UNITS	TOTAL $	TOTAL EST. $
C	COURTER	C	$11.90	38	$452.20	
9429440014	PHILIP P.	E	$11.90	38	$452.20	
E. 38 FT. LOT 14		H	$0.00		$0.00	
O. S. HANNAS	821 W. PACKARD	I	$0.00		$0.00	
ADD.	FT. WAYNE 46807185			TOTAL	$904.40	$904.40
C	DITTON RYAN B and	C	$11.90	38.4	$456.96	
9429440015	JULIE SILVERMAN	E	$11.90	38.4	$456.96	
W 2 FT LOT 14		H	$0.00		$0.00	
and LOT 15	825 W. PACKARD	I	$0.00		$0.00	
O. S. HANNAS	FT. WAYNE 46807185			TOTAL	$913.92	$913.92
C	STAHN	C	$11.90	36.4	$433.16	
9431790016	KIM HALLER	E	$11.90		$0.00	
LOT 16		H	$0.00		$0.00	
KINNAIRDS	828 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$433.16	$433.16
C	LYNCH	C	$11.90	40	$476.00	
9431790017	SANDRA K	E	$11.90		$0.00	
LOT 17		H	$0.00		$0.00	
KINNAIRDS	824 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807000			TOTAL	$476.00	$476.00
C	NUSBAUM	C	$11.90	40	$476.00	
9431790018	DENNY L & PAMELA J	E	$11.90		$0.00	
LOT 18		H	$0.00		$0.00	
KINNAIRDS	818 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	NIELSEN	C	$11.90	40	$476.00	
9431790019	MARVIN C. & JOYCE M.	E	$11.90		$0.00	
LOT 19		H	$0.00		$0.00	
KINNAIRDS	814 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	JACKSON	C	$11.90	40	$476.00	
9431790020	MARY ANN	E	$11.90		$0.00	
LOT 20		H	$0.00		$0.00	
KINNAIRDS	810 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	DAVID	C	$11.90	40	$476.00	
9431790021	THOMAS K & JUDITH K	E	$11.90		$0.00	
LOT 21		H	$0.00		$0.00	
KINNAIRDS	808 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	ZUBER	C	$11.90	40	$476.00	
9431790022	KENNETH L & CONSTANCE	E	$11.90		$0.00	
LOT 22		H	$0.00		$0.00	
KINNAIRDS	804 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	GAY	C	$11.90	60	$714.00	
9431790023	RODNEY D &	E	$11.90		$0.00	
LOT 23 and	LAURA ELLEN BRADLEY	H	$0.00		$0.00	
W 20 FT LOT 24	730 W. PACKARD	I	$0.00		$0.00	
KINNAIRDS	FT. WAYNE 46807185			TOTAL	$714.00	$714.00
C	WILLIAMS	C	$11.90	60	$714.00	
9431790024	PAUL G & PATRICIA TRS	E	$11.90		$0.00	
E 20 ft LOT 24		H	$0.00		$0.00	
and LOT 25	975 N. WORCHESTER	I	$0.00		$0.00	
KINNAIRDS	PASADENA , CA. 91104000			TOTAL	$714.00	$714.00
C	BURKS	C	$11.90	40	$476.00	
9431790026	BEVERLY A & WILLIAM J.	E	$11.90		$0.00	
LOT 26		H	$0.00		$0.00	
KINNAIRDS	718 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00

KEY N0.	NAME ADDRESS	TYPE	UNIT COST	# 0F UNITS	TOTAL $	TOTAL EST. $
C	THELEN	C	$11.90	40	$476.00	
9431790027	ARLENE C TRS	E	$11.90		$0.00	
LOT 27		H	$0.00		$0.00	
KINNAIRDS	714 W. PACKARD	I	$0.00		$0.00	
ADD	FT. WAYNE 46807185			TOTAL	$476.00	$476.00
C	MOSS	C	$11.90	60	$714.00	
9431790028	RANDALL L.	E	$11.90		$0.00	
EXC E. 2 FT OF N		H	$0.00		$0.00	
38 LOT 28 & W. 20 FT	2021 HILLSIDE AVE APT C	I	$0.00		$0.00	
OF S. 95 FT LOT29	FORT WAYNE IN. 46805			TOTAL	$714.00	$714.00
C	PINNECKER	C	$11.90	60	$714.00	
9431790029	DANIEL A	E	$11.90		$0.00	
E. 20 FT OF S. 95 FT		H	$0.00		$0.00	
LOT 29 & S. 95 FT	2413 GREEN ST	I	$0.00		$0.00	
LOT 30	RACINE , WI. 5340			TOTAL	$714.00	$714.00

21291.48

SIDEWAKK	790 LF			
Removal	438.89	6.00	$2,633.33	Mob
Replace	438.89	22.00	$9,655.56	signs
Bed Coarse	79.00	8.00	$632.00	maint
Topsoil	63.20	15.00	$948.00	subtot
Seed	195.06	2.00	$390.12	adv
TOTAL COST			$14,259.01	total
+MOB BAR ADV.			$1,425.90	
TOTAL COST			$15,684.91	

Total Proj 54,149.60
LessMSM
Proj cost

Cost /lf $19.85
P.O. / LF **$11.91**

%of proj

CURB	1231 LF		
Removal	1231.00	5.00	6155.00
Replace	1231.00	11.00	13541.00
Backfill	91.19	7.00	638.30
Topsoil	68.39	15.00	1025.83
Seed	410.33	2.00	820.67
TOTAL COST			22180.80
+MOB BAR ADV.			2218.08
TOTAL COST			24398.88

Cost /lf $19.82
P.O. / LF **$11.89**

ESTIMATE OF QUANTITIES

PROJECT: PACKARD AVE. South Wayne to Indiana **RES. NO.: 6859 - 02**

BID DATE: **B.O. NO.: (170 - 01) & (173 - 01)**

ITEM 'O.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CURB	1,231	LF	$3.95	$4,862.45
2.	REMOVAL OF CONCRETE	439	SY	$4.00	$1,756.00
3.	SURFACE MILLING (3")	1,610	SY	$3.25	$5,232.50
4.	CONCRETE SIDEWALK	439	SY	$20.00	$8,780.00
5.	CONCRETE CURB TYPE II - B	1,236	LF	$11.00	$13,596.00
6.	CONCRETE WINGWALK & RAMPS	20	SY	$22.50	$450.00
7.	BITUMINOUS SURFACE # 11 HAC MV	114	TONS	$33.35	$3,801.90
8.	BITUMINOUS BINDER # 8 OR 9 HAC MV	183	TONS	$31.75	$5,810.25
9.	BITUMINOUS MATERIAL FOR TACK COAT	0.75	TON	$150.00	$112.50
10.	TOP SOIL	66	TONS	$10.50	$693.00
11.	FERTILIZE TREES	8	EA	$35.00	$280.00
12.	MULCHED SEEDING	625	SY	$1.00	$625.00
13.	BACKFILL BEHIND CURB	95	TONS	$7.00	$665.00
14.	WATER VALVES (CURB BOX) ADJUSTED TO GRADE	26	EA	$35.00	$910.00
15.	TYPE " O " COMPACTED AGGREGATE FOR BASE # 53 STONE	45	TONS	$12.00	$540.00
16.	BED COURSE MATERIAL	75	TONS	$7.00	$525.00
17	CONSTRUCTION SIGN TYPE " A "	6	EA	$65.00	$390.00
18	STANDARD BARRICADE TYPE III	4	EA	$55.00	$220.00
19	MAINTENANCE OF TRAFFIC	1	LS	$2,200.00	$2,200.00
20	MOBILIZATION and DEMOBILIZATION	1	LS	$2,700.00	$2,700.00

SUB-TOTAL:	$54,149.60
E&I @16%	8,663.94
TOTAL:	**$62,813.54**

IMPROVEMENT RESOLUTION NO. 6864-02
S. WAYNE AVENUE TO INDIANA AVENUE BETWEEN PACKARD AVENUE & KINSMOOR AVENUE (ALLEY RECONSTRUCTION)

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **THE ALLEY LOCATED BETWEEN S. WAYNE AVENUE, INDIANA AVENUE, PACKARD AVENUE & KINSMOOR AVENUE BY REMOVAL OF THE EXISTING POOR CONDITION BRICK ALLEY & REPLACING WITH CONCRETE.** .

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR ALLEY RECONSTRUCTION shall be assessed 75% on the real estate abutting on said improvements and 25% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for the ALLEY APPROACH RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 20 day of February, 2002.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

Lin Wilson, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

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ESTIMATE OF QUANTITIES

PROJECT: S. Wayne/Indiana & Packard/Kinsmoor(Alley Reconstructior **RES. NO.: 6864-02**

BID DATE: **B.O. NO.: 171-01**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	77	SY	$6.00	$462.00
2.	Removal of Curb	60	LF	$5.00	$300.00
3.	Common Excavation (Includes Removal of Brick)	160	CY	$15.00	$2,400.00
4.	Type "O" Compacted Aggregate for Base: No. "53" or "73"	157	TON	$12.00	$1,884.00
5.	Topsoil	55	TON	$12.00	$660.00
6.	Cement Concrete Pavement, Plain (7")	827	SY	$27.00	$22,329.00
7.	4" Concrete Sidewalk	25	SY	$25.00	$625.00
8.	Cement Concrete Curb Type III	20	LF	$16.00	$320.00
9.	Cement Concrete Pavement for Alley Appr. (8")	55	SY	$28.00	$1,540.00
10.	Adjust Casting to Grade	1	EA	$175.00	$175.00
11.	Seed & Mulch	390	SY	$2.00	$780.00
12.	Casting Type "B"	1	EA	$425.00	$425.00
13.	Mobilization & Demobilization	1	LS	$1,600.00	$1,600.00
14.	Maint. Of Traffic	1	LS	$1,300.00	$1,300.00
15.					$0.00
16.					$0.00

SUB-TOTAL:	$34,800.00
E&I @16%	5,568.00
TOTAL:	**$40,368.00**

BID

CONTRACTOR: _____

PROJECT: S. Wayne/Indiana & Packard/Kinsmoor(Alley Reconstruction) **RES. NO.: 6864-02**

BID DATE: **B.O. NO.: 171-01**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	77	SY		
2.	Removal of Curb	60	LF		
3.	Common Excavation (Includes Removal of Brick)	160	CY		
4.	Type "O" Compacted Aggregate for Base: No. "53" or "73"	157	TON		
5.	Topsoil	55	TON		
6.	Cement Concrete Pavement, Plain (7")	827	SY		
7.	4" Concrete Sidewalk	25	SY		
8.	Cement Concrete Curb Type III	20	LF		
9.	Cement Concrete Pavement for Alley Appr. (8")	55	SY		
10.	Adjust Casting to Grade	1	EA		
11.	Seed & Mulch	390	SY		
12.	Casting Type "B"	1	EA		
13.	Mobilization & Demobilization	1	LS		
14.	Maint. Of Traffic	1	LS		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : August 15, 2002
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

PROJECT: S. Wayne/Indiana & Packard/Kinsmoor(Alley Reconstruction)
BID DATE:

RES. NO.: 6864-02
B.O. NO.: 171-01

C=Curbing @$ /L.F. E=Sidewalks @$ /L.F.
H=Drive Appraoach @$ /S.Y. I=Yd. Walks @$ /s.y.

KEY N0.	NAME ADDRESS	TYPE	UNIT COST	# 0F UNITS	TOTAL $	TOTAL EST. $
9429440001	Schafer Kenneth M. 701 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 60	$0.00 $0.00 $0.00 $1,082.03	
				TOTAL	$1,082.03	$1,082.03
9429440003	Rogers Martha Jane 709 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 60	$0.00 $0.00 $0.00 $1,082.03	
				TOTAL	$1,082.03	$1,082.03
9429440004	Shaull Philip A. (C/O Trustcorp Mort.) 715 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440005	Burks William J. & Pamela J 723 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440007	Hensley/Dietzer-Hensley Herbert L. & Louise M. 727 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440008	Ball Steven C. & Caryl L. 729 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440009	Swager Louis C. & Mabel M 801 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440010	Kiessling Anthony J. & Laura A. 805 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440011	Puff Louis Ann 809 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440012	Sigman Claud C. 815 W. Packard Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440013	Roffelsen Bill 817 W. Packard Ave.	C E H	$0.00 $0.00 $0.00		$0.00 $0.00 $0.00	

		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440014	Courter	C	$0.00		$0.00	
	Philip P.	E	$0.00		$0.00	
	821 W. Packard Ave.	H	$0.00		$0.00	
		D	$18.03	38	$685.29	
				TOTAL	$685.29	$685.29
9429440015	Ditton/Silverman	C	$0.00		$0.00	
	Ryan B. & Julie	E	$0.00		$0.00	
	825 W. Packard Ave.	H	$0.00		$0.00	
		D	$18.03	38.4	$692.50	
				TOTAL	$692.50	$692.50
9429440016	Carmona	C	$0.00		$0.00	
	Ernesto	E	$0.00		$0.00	
	826 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	36.4	$656.43	
				TOTAL	$656.43	$656.43
9429440017	Williams	C	$0.00		$0.00	
	Valeria Y.	E	$0.00		$0.00	
	822 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440018	Smith/De	C	$0.00		$0.00	
	Thomas L. & Anna M.	E	$0.00		$0.00	
	718 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440019	Epple	C	$0.00		$0.00	
	Paul E. & Dorthy M. (Trust)	E	$0.00		$0.00	
	816 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440020	Foreman	C	$0.00		$0.00	
	Keith R. & Melody A.	E	$0.00		$0.00	
	810 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440021	Learned	C	$0.00		$0.00	
	Beth A.	E	$0.00		$0.00	
	808 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440022	Sherman	C	$0.00		$0.00	
	Julie	E	$0.00		$0.00	
	802 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440023	Wissing	C	$0.00		$0.00	
	Andrew G.	E	$0.00		$0.00	
	730 W. Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440024	Wolff	C	$0.00		$0.00	
	Keith A & Nicole	E	$0.00		$0.00	
	726 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36
9429440025	Wall	C	$0.00		$0.00	
	Walter J. & Darlene G.	E	$0.00		$0.00	
	724 Kinsmoor Ave.	H	$0.00		$0.00	
		D	$18.03	40	$721.36	
				TOTAL	$721.36	$721.36

9429440026	Martin Shawn D. & Lisa A. 718 Kinsmoor Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440027	Spare Douglas L. & Jennifer A. 716 Kinsmoor Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440028	Greenbank Doulglas L. & Tammy L. 712 Kinsmoor Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440029	Rodewald John M. & Susan M. 708 Kinsmoor Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36
9429440030	Gratz Walter R. & Linda K. 704 Kinsmoor Ave.	C E H D	$0.00 $0.00 $0.00 $18.03	 40	$0.00 $0.00 $0.00 $721.36	
				TOTAL	$721.36	$721.36

$20,789.47

ALLEY		620 LF			
Removal		826.67	7.50	$6,200.00	Mob
Replace		826.67	22.00	$18,186.67	signs
Bed Coarse		148.80	10.00	$1,488.00	maint
Topsoil		49.60	10.00	$496.00	subtot
Seed		367.41	2.00	$734.81	adv
Total Cost				$27,105.48	total
+MOB BAR ADV.				$2,710.55	
Tolal Cost				$29,816.03	
					Total Proj
					LessMSM
Cost /lf	$48.09				Proj cost
P.O. / LF	**$18.03**				
					%of proj
CURB		0 LF			
Removal		0.00	4.00	0.00	
Replace		0.00	10.00	0.00	
Backfill		0.00	8.00	0.00	
Topsoil		0.00	12.00	0.00	
Seed		0.00	2.00	0.00	
Total Cost				0.00	
+MOB BAR ADV.				0.00	
Tolal Cost				0.00	
Cost /lf	#DIV/0!				
P.O. / LF	**#DIV/0!**				
curb face walk		0 SY			
Removal		0.00	4.50	0.00	

RESOLUTION TO APPROVE/RENEW
CITY OF FORT WAYNE TAXI PERMIT

WHEREAS; The City of Fort Wayne Taxi Ordinance (Fort Wayne City Code, Chapter 28) authorizes the Board of Pubic Works to approve and renew taxi permits annually; and

WHEREAS; The taxi service known as Deluxe **TAXI SERVICE** has filed an application for a taxi permit, as required by the Taxi Ordinance, and has met all City Code requirements for a taxi service operation;

NOW THEREFORE; The Board of Public Works of the City of Fort Wayne, Indiana hereby approves/renews the permit of said taxi service until Jan. 20, 2003;

SIGNED THIS 20 DAY OF February, 2002;

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST:

Carolyn S. Newport, Clerk

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 89-31-3

WHEREAS, the City of Fort Wayne needs to lease various vehicles and items of capital equipment for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various vehicles and items of capital equipment and the Common Council is expected to approve the acquisition of said various vehicles and items of capital equipment; and

WHEREAS, sufficient revenues are available from the City's General Fund and various other City department funds to make lease rental payments on a timely basis as required for the leasing of said various vehicles and equipment items; and

WHEREAS, notices have been published requesting proposals from lessors to acquire the various vehicles and items of capital equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and items of capital equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various vehicles and items of capital equipment on **FEBRUARY 27, 2002.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various vehicles and items of capital equipment listed on the bids received from potential lessors for the lease of certain various vehicles and items of capital equipment listed on the attached Exhibit "A" on **FEBRUARY 27, 2002**. The exact lessor purchase cost for the various vehicles and items of capital equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: 2/20/02

BOARD OF PUBLIC WORKS

Ted Rhinehart, Director

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport

Carolyn Newport, Clerk

NOTICE TO BID
VEHICLE AND EQUIPMENT LEASE FINANCING
1/28/02

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 2/27/02** and in the Omni Room, Room 250, City-County Building until 9:0**0 a.m.** Eastern Standard Time, on **WEDNESDAY 2/27/02** for the following:

Vehicle and Equipment Lease Financing
5-year Lease(s)
with option to purchase
for various vehicles and items of capital equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for all of the vehicles and capital equipment items listed below.
2) The total lease rental price based on a 5-year lease period with funds to be available on or before April 1, 2002 and lease payments commencing no sooner than July 1, 2002. Bids should be submitted with semi-annual payment schedules assuming payments made in advance.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids. The amount of interest charges, if any, accruing for the period from April 1, 2002 through July 1, 2002 must also be included and clearly segregated from the payment amortization schedule.
5) A provision in the lease providing for an option to purchase the vehicles and capital equipment items.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.
9) Evidence of financial responsibility.

Bidders are strongly encouraged to utilize the worksheets available through the Board of Public Works.

The vehicles and equipment items and their estimated unit cost are detailed below.

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR(s)
CHEV IMPALA POLICE CRUISERS (92) UNMARKED (12) INCLUDING EQUIPMENT	$ 33,622	104	$ 3,496,688	KELLEY CHEVROLET (vehicles)
PICK UP TRUCKS	$ 21,275	2	$ 42,550	DIMENSION FORD
MID SIZE SEDANS	$ 17,188	8	$ 137,504	DIMENSION FORD

continued

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR(s)
4X4 FULL SIZE UTILITY VEHICLE	$ 27,047	1	$ 27,047	KELLEY CHEVROLET
4X4 MID SIZE SPORT UTILITY VEHICLE	$ 23,510	1	$ 23,510	DIMENSION FORD
USED VAN	$ 15,000	1	$ 15,000	
EXT LENGTH MINI VAN	$ 20,455	1	$ 20,455	DIMENSION FORD
CONTINGENCY	$187,246		$ 187,246	
TOTAL			**$ 3,950,000**	

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before April 1, 2002.

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

Publish 2/1 & 2/8/02 in both Fort Wayne Newspapers and 2/6/02 in Frost Illustrated

STREET LIGHT RESOLUTION

NUMBER 281-02

LIMA VALLEY ADDITION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system in Lima Valley Addition, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded 100% by the 2002 CEDIT Funds. All proceedings and any work done in said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Ted Rhinehart – Chairman

John Suarez – Member

Lin Wilson, Member

ATTEST:

Carolyn Newport – Clerk

Dated this 20th Day of February, 2001

IMPROVEMENT RESOLUTION NO. 6849-02
RIVERSIDE AVENUE: SPY RUN TO GRISWOLD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **RIVERSIDE AVENUE FROM SPY RUN AVENUE TO GRISWOLD DRIVE BY RECONSTRUCTION OF CONCRETE SIDEWALKS, DRIVE APPROACHES, ALLEY APPROACHES ADA CURB RAMPS, REHABILITATION OF STORM SEWERS, AND MULCHED SEEDING RESTORATION**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 27 day of February, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

BID

CONTRACTOR: RES. NO.: 6849-02

PROJECT: RIVERSIDE AVE (Spy Run to Griswold) B.O. NO.: 191-01

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	CONCRETE REMOVAL	1440	SY		
2.	CURB REMOVAL	238	LF		
3.	PAVEMENT REMOVAL	40	SY		
4.	CONCRETE SIDEWALK (4")	1196	SY		
5.	CONCRETE CURB TYPE III	100	LF		
6.	CONCRETE WINGWALK & CURBRAMPS	80	SY		
7.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE (6")	44	SY		
8.	CONCRETE PAVEMENT FOR COMMERCIAL DRIVE (8")	38	SY		
9.	CONCRETE PAVEMENT FOR ALLEY (8")	88	SY		
10.	CEMENT CONCRETE PAVEMENT, PLAIN 6", (2' RECESSED)	36	SY		
11.	BITUMINOUS MATERIAL FOR PATCHING	5	TON		
12.	SERVICE CURB BOX (TOP SECTION W/LID)	6	TON		
13.	SERVICE CURB BOX (ADJUST TO GRADE)	21	EA		
14.	BED COURSE MATERIAL	295	EA		
15.	ADJUST CASTING TO GRADE	3	EA		
16.	TOP SOIL	155	TON		
17.	MULCHED SEEDING RESTORATION	1400	SY		
18.	TREE FERTILIZATION	35	EA		
19.	CONSTRUCTION SIGNS TYPE "A"	4	EA		
20.	PLASTIC DRUMS WITH FLASHERS	42	EA		
21.	MAINTENANCE OF TRAFFIC	1	LS		
22.	MOBILIZATION AND DE-MOBILIZATION	1	LS		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.

CONTRACT COMPLETION DATE__- **AUGUST 2, 2002**

The undersigned hereby certifies that all wages paid under this project will meet or exceed the federal Minimum Wage.

_____

Contractors Signature

M E M O R A N D U M
TRANSPORTATION ENGINEERING SERVICES
STREET PROJECT MANAGEMENT

TO: **BOARD OF WORKS**

FROM: **MARIO TREVINO**
DIRECTOR OF TRANSPORTATION ENGINEERING SERVICES

DATE: **2/21/02**

SUBJECT: **RESOLUTION # 6849-02**
RIVERSIDE AVENUE: SPY RUN TO GRISWOLD
W.O. # 11670

****

Attached is the original Improvement Resolution and copy of Estimate of Quantities pertaining to the subject improvement project.

Please advertise for bid on: **3/1/02**

Bid Opening Date: **3/13/02**

This project is estimated to cost less than $75,000.

The suggested fee for the bid document packet is $25.00 each.

Encl:

KY/

RESOLUTION OF THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

WHEREAS, the Board of Public Works has established area connection fees for real estate served by the Fort Wayne Waste Water Disposal Plant for the Spy Run Service Area, the Junk Ditch Service Area, the St. Joe Service Area, the Southwest Service Area, and the St. Mary's Service area; and

WHEREAS, the area connection fees for the above service areas are based on a net acre charge; and

WHEREAS, as the City's sewer system extends into suburban areas, many residential sites exceed one acre in size; and

WHEREAS, the owners of residential sites in excess of one acre often desire to connect to the City sanitary sewer system; and

WHEREAS, the Board acknowledges that the amount of sewage discharged from a single family home is not related to the size of the real estate upon which the home is constructed; and

WHEREAS, the Board has from time to time deferred the collection of area connection fees for all but one acre for single family residential uses on sites in excess of one acre; and

WHEREAS, the Board does not feel it necessary that it individually review each request for deferral of area connection fees in certain instances.

NOW THEREFORE BE IT RESOLVED that in those areas where area connection fees are based on net acreage, the fee collected for a single family residence not exceed the one acre fee for the applicable service area provided the following conditions are met:

1. The record owners of the property record a document in the Allen County Recorder's Office, in a form approved by the Board of Works and running with the land, that limits the sanitary sewage service for the property to one sewer tap for one single family residence; that no additional structures contributing sewage to the existing tap may be permitted without the collection of additional area connection fees based on the then current rate, and that any division of the property from the site resulting in a new sewer tap would be subject to the collection of area connection fees based on the then current rate.
2. The recordation of the aforementioned document will eliminate the necessity of individual Board review and approval of requests for the deferral of area connection fees for single family residences on sites in excess of one acre provided that the recorded document is signed by a designated representative of City Utilities named by the Board.

PASSED this 27th day of February 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Lin Wilson

Attest: Carolyn S. Newport, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez, and Lin Wilson,** all as Members of the Board of Public Works, and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 27th day of February 2002.

RHONDA S. MILLER
Notary Public, State of Indiana
County of Allen
My Commission Expires Sep 16, 2007

Notary Public Rhonda S. Miller

Rhonda S. Miller
Printed Name of Notary

Resident of Allen County

My Commission Expires:

Document Prepared by: Jack G. Suter, City Utilities

RESOLUTION
CPI INCREASE FOR CITY RESIDENTIAL SOLID WASTE CONTRACTS

WHEREAS, the contracts for the collection of refuse and curbside recyclables call for an annual price modifier based upon the Consumer Price Index (CPI) for urban wage earners over the previous twelve month period; and

WHEREAS, the contracts specifically state, "The unit rates for collection and disposal will be adjusted by a multiplier equal to eighty percent (80%) of the change in the CPI, otherwise known as the Revised Consumer Price Index for urban wage earners (Cincinnati-Hamilton, Ohio, Kentucky, Indiana 1982 – 1984) over the previous twelve (12) months"; and

WHEREAS, the CPI for the Cincinnati-Hamilton, OH-KY-IN for 2001 was 1.7% and eighty percent (.80) of 1.7% equals 1.36 % (0.0136); and

WHEREAS, the 2001 cost of collection and disposal of refuse by National Serv-all was $59.51 per ton, and the 2001 cost of collection and recycling of curbside recyclables by National Serv-all was $109.21 per ton; and

WHEREAS, the computations for the 2002 tonnage rates are as follows: Refuse @ $59.51 per ton x 0.0136 = $0.81, and Recycling @ $109.21 per ton x 0.0136 = $1.49;

NOW, THEREFORE, LET IT BE RESOLVED that effective January 1, 2002, the following increases take place: refuse will be collected and disposed of at a rate of $60.32 per ton and recyclables will be collected and recycled at a rate of $110.70 per ton.

Material	2001 price per ton	2002 price per ton
Refuse	$59.51	$60.32
Curbside Recyclables	$109.21	$110.70

Adopted this 27th day of February, 2002.

Board of Public Works

Ted Rhinehart, Chairman

Lin Wilson, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

Bret Boccabella, National Serv-all

ATTEST: Denise R Scholz

DATE: February 27, 2002

RECEIVED
MAR 0 6 2002
CITY OF FORT WAYNE
SOLID WASTE DEPT.

IMPROVEMENT RESOLUTION NO. 6855-02
CURB RAMP PACKAGE 4-2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **ADA RAMPS, CONCRETE SIDEWALK, SEED AND MULCH RESTORATION. CURB RAMPS AT FOLLOWING LOCATIONS: ANDREW AT FOURTH; BARTHOLD FROM RAILROAD TO FIFTH; HIGH FROM WELLS TO OSAGE STREET; CLARK & HIGH STREET; MARION COURT & HIGH STREET; ORCHARD STREET & HIGH STREET ;BOONE STREET FROM CENTER STREET TO WATKINS; CATALPA FROM TAYLOR TO CULBERTSON; BURGESS FROM OSAGE TO ST MARYS; DEGROFF & CENTRAL; FRANKLIN & CENTRAL; SINCLAIR FROM OAKLAND TO SCHILLING AVENUE; OAKLAND FROM THIRD TO FOURTH; FRANKLIN FROM SINCLAIR TO FOURTH; ST MARYS & SINCLAIR STREET.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 27 day of February, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

C:\My Documents\Street Project Management\Ainslie\CURB RAMP PKG 4-2002.RES.doc

ESTIMATE OF QUANTITIES

PROJECT: CURB RAMP PKG 4-02 RES. NO.: 6855-02

MAPLEWOOD RD TO HOPEWELL DR

DATE 20-Feb-02 B.O. NO.: 282-02

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	385	LF	5.00	1925.00
2.	Removal of Concrete	418	SY	6.00	2508.00
3.	Removal of Pavement	5	SY	7.50	37.50
4.	Cement Concrete Pavement, Plain, 6" inches	5	SY	35.00	175.00
5.	Concrete Sidewalk	390	SY	22.00	8580.00
6.	Concrete Curb Type "III"	65	LF	11.00	715.00
7.	Concrete Curbface Sidewalk	71	SY	28.00	1988.00
8.	Concrete Wingwalk & Ramps	1428	SY	40.00	57120.00
9.	Bituminous Surface, No. #11, HAC	40	SY	40.00	1600.00
10.	Top Soil	43	TON	15.00	645.00
11.	Remove and Replace 11" Retaining Wall For K-Ramp at 5th and Barthold	44	LF	35.00	1540.00
12.	Prune & Fertilize Trees	4	EA	60.00	240.00
13.	Mulched Seeding,	580	SY	2.00	1160.00
14	Valve Box Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	5	EA	35.00	175.00
15	Castings Adjusted to Grade	34	EA	175.00	5950.00
16	Remove & Replace Paving Brick, On Required Streets, And Level For Drainage	30	SY	100.00	3000.00
17	Bed Course Material	52	TON	10.00	520.00
18	Construction Signs, Type A With Construction Warning Light Type A - "Movable"	12	EA	80.00	960.00
19	V - Locks, Breakaway For Signs	3	EA	40.00	120.00
20	Standard Inlet, Type 1-C "Include No. 53 Special Backfill"	7	EA	575.00	4025.00
21	Pipe, RCP, Class V, 12" "Include No. 53 Special Backfill"	8	LF	28.00	224.00
22	Maintenance of Traffic - 4%	1	LS	3728.00	3728.00
23	Mobilization / Demobilization - 5%	1	LS	4847.00	4847.00

TOTAL:	101782.50
E & I 16%	16285.00
GRAND TOTAL	118067.50

BID

CONTRACTOR: RES. NO.: 6855-02

PROJECT: CURB RAMP PKG 4-02 B.O. NO.: 282-02

MAPLEWOOD RD TO HOPEWELL DR

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	385	LF		
2.	Removal of Concrete	418	SY		
3.	Removal of Pavement	5	SY		
4.	Cement Concrete Pavement, Plain, 6" inches	5	SY		
5.	Concrete Sidewalk	390	SY		
6.	Concrete Curb Type "III"	65	LF		
7.	Concrete Curbface Sidewalk	71	SY		
8.	Concrete Wingwalk & Ramps	1428	SY		
9.	Bituminous Surface, No. #11, HAC	40	SY		
10.	Top Soil	43	TON		
11.	Remove and Replace 11" Retaining Wall For K-Ramp at 5th and Barthold	44	LF		
12.	Prune & Fertilize Trees	4	EA		
13.	Mulched Seeding,	580	SY		
14	Valve Box Adjusted to Grade (Pavement, Sidewa Parkstrip)	5	EA		
15	Castings Adjusted to Grade	34	EA		
16	Remove & Replace Paving Brick, On Required Streets, And Level For Drainage	30	SY		
17	Bed Course Material	52	TON		
18	Construction Signs, Type A With Construction Warning Light Type A - "Movable"	12	EA		
19	V - Locks, Breakaway For Signs	3	EA		
20	Standard Inlet, Type 1-C "Include No. 53 Special Backfill"	7	EA		
21	Pipe, RCP, Class V, 12" "Include No. 53 Special Backfill"	8	LF		
22	Maintenance of Traffic - 4%	1	LS		
23	Mobilization / Demobilization - 5%	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: AUGUST 30, 2002
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

M E M O R A N D U M
TRANSPORTATION ENGINEERING SERVICES
STREET PROJECT MANAGEMENT

TO: **BOARD OF WORKS**

FROM: **MARIO TREVINO**
DIRECTOR OF TRANSPORTATION ENGINEERING SERVICES

DATE: **2/21/02**

SUBJECT: **RESOLUTION # 6855-02**
CURB RAMP PACKAGE 4-2002
W.O. # 11694

****

Attached is the original Improvement Resolution and copy of Estimate of Quantities pertaining to the subject improvement project.

Please advertise for bid on: **3/1/02**
&
3/8/02

Bid Opening Date: **3/20/02**

The suggested fee for the bid document packet is $25.00 each.

Encl:

KY/

IMPROVEMENT RESOLUTION NO. 6850-02
WOHAMA DRIVE: MAPLEWOOD TO HOPEWELL

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **WOHAMA DRIVE BETWEEN MAPLEWOOD AND HOPEWELL, SIDEWALKS, DRIVE APPROACH IMPROVEMENTS, ADA RAMPS, MULCH SEEDING AND RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR DRIVEWAY APPROACHES AND SIDEWALKS shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for ADA RAMPS AND SPOT PAVEMENT REPAIR shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 27 day of February, 20 02.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

LIN WILSON, MEMBER

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: WOHAMA DRIVE RES. NO.: 6850-02

MAPLEWOOD RD TO HOPEWELL DR

DATE 20-Feb-02 B.O. NO.: 276-01

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb, Type 1-A, Sawed	100	LF	5.50	550.00
2.	Removal of Concrete	860	SY	6.00	5160.00
3.	Anchor Bolts For Drive Approaches only Every 5'	115	EA	6.00	690.00
4.	Concrete Sidewalk	644	SY	22.00	14168.00
5.	Concrete Curb Type "I-A"	10	LF	11.00	110.00
6.	Concrete Pavement for Residential Drive	270	SY	25.00	6750.00
7.	Removal of Pavement	15	SY	7.50	112.50
8.	Cement Concrete Pavement, Plain, 6 Inches	15	SY	25.00	375.00
9.	Remove & Replace A.D.A Ramps	72	SY	40.00	2880.00
10.	Bituminous Surface, No. # 11, HAC 1" Overlay	1	TON	40.00	40.00
11.	Top Soil	60	TON	14.00	840.00
12.	Prune & Fertilize Trees	49	EA	58.00	2842.00
13.	Mulched Seeding,	225	SY	1.60	360.00
14	Furnish Valve Box and Adjust to Grade	4	EA	35.00	140.00
15	Bed Course Material	70	TON	10.00	700.00
16	V-Lock Socket System for Signs	2	EA	15.00	30.00
17	Construction Signs, Type A With Construction Warning Light Type A	6	EA	80.00	480.00
18	Maintenance of Traffic - 4%	1	EA	1449.00	1449.00
19	Mobilization / Demobilization - 5%	1	EA	1884.00	1884.00

TOTAL	39560.50
E & I - 16%	6330.00
GRAND TOTAL :	$ 45,890.50

WOHAMA DRIVE - BARRETT LAW B.O. 276-01

C=Curbing $11.50 Lf. E=Sidewalks $11.50 Per Lf.

H=Drive Appraoach $20.50 Sy.

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $
9520750222	Robinson Frank & Maida 7720 Kingsway Dr	C E H I	$0.00 $11.50 $0.00 $0.00	24	$0.00 $276.00 $0.00 $0.00	
				TOTAL	$276.00	$276.00
9520750223	Hees Bryon & Nikki 7633 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	15.5 12.5	$0.00 $178.25 $256.25 $0.00	
				TOTAL	$434.50	$434.50
9520750224	Uetrecht Stanley & Gertrude 7629 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	14 12.5	$0.00 $161.00 $256.25 $0.00	
				TOTAL	$417.25	$417.25
9520750225	Owens Mary Jane 7623 Wohama Dr	C E H I	$0.00 $11.50 $0.00 $0.00	25	$0.00 $287.50 $0.00 $0.00	
				TOTAL	$287.50	$287.50
9520750226	Loeffler Luise J Trustee 7617 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	31 18.5	$0.00 $356.50 $379.25 $0.00	
				TOTAL	$735.75	$735.75
9520750227	Armstrong Paul 7611 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	31 24	$0.00 $356.50 $492.00 $0.00	
				TOTAL	$848.50	$848.50
9520750228	Thomas Sharon 7609 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	45 14.5	$0.00 $517.50 $297.25 $0.00	
				TOTAL	$814.75	$814.75
9520750229	Denis Carlos & Martha 7605 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	20 12.5	$0.00 $230.00 $256.25 $0.00	
				TOTAL	$486.25	$486.25
9520750230	Troyer Mark Steven & Kathy Smith 7601 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	31 23.5	$0.00 $356.50 $481.75 $0.00	
				TOTAL	$838.25	$838.25
9520750231	Kimmel Cara 7523 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	66 12.5	$0.00 $759.00 $256.25 $0.00	
				TOTAL	$1,015.25	$1,015.25
9520750232	Bates Daniel 7517 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	44 12.5	$0.00 $506.00 $256.25 $0.00	
				TOTAL	$762.25	$762.25

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $
9520750233	Hoover David & Virginia 7511 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 24 12.5 	$0.00 $276.00 $256.25 $0.00	
				TOTAL	$532.25	$532.25
9520750234	Hill John & Lorene 7505 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 3 	$0.00 $34.50 $0.00 $0.00	
				TOTAL	$34.50	$34.50
9520750235	Schaefer Rick & Christina 7431 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 8 9.5 	$0.00 $92.00 $194.75 $0.00	
				TOTAL	$286.75	$286.75
9520750236	Witte Glenn & Carrol 1801 Hopewell Dr	C E H I	$0.00 $11.50 $0.00 $0.00	 31 	$0.00 $356.50 $0.00 $0.00	
				TOTAL	$356.50	$356.50
9520750272	Friedrich Paul & Gloria 7424 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 18 13 	$0.00 $207.00 $266.50 $0.00	
				TOTAL	$473.50	$473.50
9520750273	Brown Thomas & Virginia 7430 Wohama Dr	C E H I	$11.50 $11.50 $20.50 $0.00	8 23 18 	$92.00 $264.50 $369.00 $0.00	
				TOTAL	$725.50	$725.50
9520750274	Kenline Jean 7504 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 29 2 	$0.00 $333.50 $41.00 $0.00	
				TOTAL	$374.50	$374.50
9520750275	Roberts Scott 348 Pursley Dr FOR 7508 WOHAMA DR	C E H I	$0.00 $11.50 $0.00 $0.00	 27 	$0.00 $310.50 $0.00 $0.00	
				TOTAL	$310.50	$310.50
9520750276	Crimn Jlane & Helen 7514 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 65 22 	$0.00 $747.50 $451.00 $0.00	
				TOTAL	$1,198.50	$1,198.50
9520750277	Moring Walter T Income Trust 7602 Worth Dr.	C E H I	$0.00 $11.50 $0.00 $0.00	 92 	$0.00 $1,058.00 $0.00 $0.00	
				TOTAL	$1,058.00	$1,058.00
9520750293	Carter Francis & Gladys 7601 Worth Dr.	C E H I	$0.00 $11.50 $20.50 $0.00	 51 25 	$0.00 $586.50 $512.50 $0.00	
				TOTAL	$1,099.00	$1,099.00
9520750294	Poppele Howard & Mary 7606 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 52 17 	$0.00 $598.00 $348.50 $0.00	
				TOTAL	$946.50	$946.50

KEY NO.	NAME ADDRESS	TYPE	UNIT COST	# OF UNITS	TOTAL $	TOTAL EST. $
9520750295	Pickard Ned & Benita 7612 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 64 19.5 	$0.00 $736.00 $399.75 $0.00	
				TOTAL	$1,135.75	$1,135.75
9529750296	Miller Joan 7620 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 64 19.5 	$0.00 $736.00 $399.75 $0.00	
				TOTAL	$1,135.75	$1,135.75
9520750297	Ybarra Judy 7624 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 64 19.5 	$0.00 $736.00 $399.75 $0.00	
				TOTAL	$1,135.75	$1,135.75
9520750298	Metz Edward & Elaine 7628 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 60 19.5 	$0.00 $690.00 $399.75 $0.00	
				TOTAL	$1,089.75	$1,089.75
9520750299	McMahon Roberts 7632 Wohama Dr	C E H I	$0.00 $11.50 $0.00 $0.00	 55 	$0.00 $632.50 $0.00 $0.00	
				TOTAL	$632.50	$632.50
9520750300	Friedrich Eric 7636 Wohama Dr	C E H I	$0.00 $11.50 $20.50 $0.00	 54 6.5 	$0.00 $621.00 $133.25 $0.00	
				TOTAL	$754.25	$754.25

TOTAL: $20,196.00

MEMORANDUM
TRANSPORTATION ENGINEERING SERVICES
STREET PROJECT MANAGEMENT

TO: **BOARD OF WORKS**

FROM: **MARIO TREVINO**
DIRECTOR OF TRANSPORTATION ENGINEERING SERVICES

DATE: **2/19/02**

SUBJECT: **RESOLUTION # 6850-02**
WOHAMA DRIVE: MAPLEWOOD TO HOPEWELL
W.O. # 11698

****

Attached is the original Improvement Resolution and copy of Estimate of Quantities and Assessment Roll pertaining to the subject improvement project. Please advertise for a Public Hearing:

Advise the date of public hearing so we are able to attend. **(GARY AINSLIE)**

Encl:

KY/

IMPROVEMENT RESOLUTION NO. 6845-02
SHERBORNE BOULEVARD PHASE II: HASTINGS RD. TO VANCE AVE.

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **TO RECONSTRUCT SHERBORNE BLVD. FROM HASTINGS RD. TO VANCE AVE. BY CONSTRUCTING NEW WATER MAIN, NEW CURB, SUBSURFACE DRAIN, NEW DRIVE APPROACHES, NEW ADA RAMPS AND NEW STONE & ASPHALT STREET** .

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS AND DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for WATER MAIN, SUBSURFACE DRAIN, ADA RAMPS & PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 27 day of February, 2002.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

LIN WILSON, MEMBER

ATTEST: **Carolyn S. Newport**
Clerk

IMPROVEMENT RESOLUTION NO. 6862-02
MISCELLANEOUS CONSTRUCTION PACKAGE 4-A-02

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
HINTON DRIVE: EMERSON AVENUE TO CLOVER LANE – NEW CURB, SIDEWALK, DRIVE APPROACHES, AND YARDWALKS, MULCHED SEEDING AND RESTORATION.
BROWN STREET: PAUL STREET TO BEVEL AVENUE – NEW SIDEWALK, YARDWALKS, AND EFFECTED DRIVE APPROACHES, MULCHED SEEDING AND RESTORATION.
HENCH STREET: ARCHER AVENUE TO ALLEY NORTH OF GREENLAWN AVENUE – SIDEWALK, YARDWALK, AND EFFECTED DRIVE APPROACH IMPROVEMENTS ON WEST SIDE, INSTALL ADA CURB RAMPS, MULCH SEEDING AND RESTORATION.
SIDEWALK IN RIGHT OF WAY BETWEEN BROOKLYN AVENUE AND CARLTON COURT – REPLACE DETERIORATED SIDEWALK WITH NEW SIDEWALK, MULCH SEEDING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 27 day of February, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6841-02
BLACKHAWK ADDITION - MISC. CONCRETE REPAIRS

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **MISCELLANEOUS CONCRETE REPAIRS IN THE BLACKHAWK ADDITION AT THE ADDRESSES OF: 3329 BLACKFOOT CT - DRIVE APPROACH REPAIR; 6738 WINNEBAGO DR - WALKS & DRIVE APPROACH REPAIR; 6729 KANATA CT - DRIVE APPROACH REPAIR; 3024 PADAGO CT - DRIVE APPROACH REPAIR; 6306 WAKOPA CT - WALKS & DRIVE APPROACH REPAIR; 6304 PAPAGO CT - DRIVE APPROACH REPAIR; 6533 WINNEBAGO DR - WALK REPAIRS**.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for WALKS & DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 27th day of Feb., 2002

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

LIN WILSON, MEMBER

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6851-02
MAIN STREET: 600 BLOCK NORTHSIDE (SIDEWALKS)

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **THE SIDEWALKS ON THE NORTH SIDE OF THE 600 BLOCK OF MAIN ST. BY REMOVAL & REPLACEMENT OF CONCRETE CURBFACE WALK & INSTALLATION OF TRENCH DRAIN** .

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR SIDEWALK & DRAIN shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 6 day of March, 2002.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

Lin Wilson, **MEMBER**

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6852-02
RESURFACING PACKAGE 3-2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **THE FOLLOWING STREETS BY MILLING AND/OR RESURFACING THE ROADWAY IN COUNCIL MANIC DISTRICTS 2 AND 3.**

2ND DISTRICT

CLARA: ANTHONY TO KENSINGTON
CHARLOTTE: ANTHONY TO KENSINGTON
CHARLOTTE: LEROY TO 150' E. OF CAREW
CHARLOTTE: SANTA ROSA TO TERMINUS
BUENA VISTA: VANCE TO GLENWOOD
BUENA VISTA: GLENWOOD TO KENWOOD
BUENA VISTA: KENWOOD TO CURDES
BUENA VISTA: CURDES TO LAWNDALE
HUBERTUS: CHARLOTTE TO LYNN
LAWNDALE: HUBERTUS TO LEROY
LEROY: LAWNDALE TO DODGE
IMPERIAL PARK: HARCOURT TO WESTMINSTER
IMPERIAL PARK: WESTMINSTER TO STELLHORN
JONQUIL: EXETER (205' NORTH) TO EXETER (528' SOUTH)
DELRAY: VANCE TO EXETER
DESOTO: ROCKWOOD TO REED
CERCO: BELLO TO TERMINUS (NORTH)
HARWICK: NEWFIELD TO TERMINUS
NEWFIELD: HARWICK CT. TO LONG
NEWFIELD: REPTON TO HARWICK CT.
REPTON: NEWFIELD TO TERMINUS
ROXBORO: REPTON TO TERMINUS
RUPP: COLISEUM TO HOBSON
DELRAY: CHANTILLY TO LANGSDON
LANGSDON: DELRAY TO DELRAY
WESTMINSTER: QUEENSBURY TO COLLBRAN
VANCE: AMULET (160' EAST) TO DELRAY
DODGE: CAREW TO INTERSECTION
BOLTON: HASTINGS TO STATE (450' NORTH)

3RD DISTRICT

STATE: TERRACE TO CLINTON
STATE: SPY RUN TO CLINTON
GOSHEN: DILLER TO HILLEGAS
GOSHEN: COLISEUM (484' SOUTH) TO COLISEUM (2021' SOUTH)
GOSHEN: INDEPENDENCE (150' SOUTH) TO INDEPENDENCE (820' SOUTH)
GOSHEN: HARRIS (220' SOUTH) TO BRIDGE APPROACH
GOSHEN: POINSETTE (869' NORTH) TO ETHEL
PARNELL: MEMORIAL WAY (200' SOUTH) TO CLINTON STREET
PUTNAM: OAKLAND (1/2 BLOCK) TO SHERMAN
SHORT: HUFFMAN TO SPRING
FIFTH: HARRISON TO WELLS
GELLER: HUFFMAN TO SPRING
CORTLAND: PUTNAM TO STATE
SHERMAN: COLISEUM TO TRICK
SHERMAN: TRICK TO LOCH LAMOND
SHERMAN: GOSHEN TO RUSSELL
SHERMAN: RUSSELL TO ELMER
SHERMAN: ELMER TO MILDRED
SHERMAN: MILDRED TO DEAD END
SHERMAN: DEAD END TO FRANKE PARK DRIVE
KELLY: HUFFMAN TO SPRING
FOURTH: CALHOUN TO WELLS
TYLER: SPRING TO STATE
ARCHER: JESSIE TO POINSETTE
JESSIE: ARCHER TO PUTNAM
FRANKLIN: GREENLAWN TO MARGARET
GREENLAWN: ST MARYS TO FRANKLIN
NOB: WOLFE TO LEY

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 6 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST:
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6868-02
RESURFACING PACKAGE 2 - 2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
THE FOLLOWING STREETS BY MILLING AND/OR RESURFACING THE ROADWAY IN COUNCIL MANIC DISTRICTS 1 AND 5.

DISTRICT 1
WASHINGTON: FAIRVIEW TO GLASGOW
BARR: OAKDALE TO WIEBKE
BEGUE: BERRY TO WAYNE
BEGUE: LIBERTY TO BERRY
BUCHANAN: SMITH TO HANNA
GARFIELD: CODY TO EDGEWATER
CALIFORNIA: VERMONT TO LAKE
DELTA: EDGEWATER TO COLUMBIA
CRESCENT: LAKE TO TECUMSEH
TIPPERARY: 101' EAST OF DUBLIN COURT TO MAYSVILLE
LAKELAND: FORESTWOOD TO FORESTVIEW
FORESTVIEW: LAKELAND TO FORESTVALLEY
FELICIAN: BIRCHWOOD TO FLEETWOOD
GAY: PONTIAC TO CREIGHTON
GAY: CREIGHTON TO BUCHANAN
CREIGHTON: CENTRAL TO ANTHONY
COMPARET: WASHINGTON TO WAYNE
JOHN: BUCHANAN TO CREIGHTON
JOHN: CREIGHTON TO PONTIAC
REED: CREIGHTON TO FISHER
HURD: WINTER TO HOLTON
SMITH: BUCHANAN TO BUCHANAN
SMITH: BUCHANAN TO CREIGHTON
SMITH: CREIGHTON TO EMILY
TABER: HANNA TO WARSAW
COLERICK: JOHN TO SMITH
JAMES: LEITH TO DEAD END ALLEY
WAYNE TRACE: FLETCHER TO NEW HAVEN AVE
WAYNE ST: LAFAYETTE TO MONROE
SUPERIOR: HARRISON TO INTERSECTION ONLY
SUPERIOR: CALHOUN TO HARRISON
WELLS: SUPERIOR TO WOOD
MONROE: MADISON TO JEFFERSON

DISTRIC 5

PIERCE: SOUTH WAYNE TO FAIRFIELD
TACOMA: PRANGE TO PASADE – CURB LINE
TACOMA: PRANGE TO PASADE
BERRY: ROCKHILL TO THIEME
WEBSTER: JEFFERSON TO WASHINGTON
PAULDING: FAIRFIELD TO BUELL
PAULDING: BUELL TO LAFAYETTE
LEXINGTON: TACOMA TO FAIRFIELD
PETTIT: CALHOUN TO OLD MILL ROAD
LAVINA: VAN BUREN TO BROADWAY
VAN BUREN: WASHINGTON TO MAIN
VAN BUREN: WASHINGTON TO WILT
BERRY: EWING TO WEBSTER
WEBSTER: BUTLER TO WILLIAMS
KINNAIRD: HOAGLAND TO FAIRFIELD
SOUTH WAYNE: PETTIT TO PASADENA
SOUTH WAYNE: PASADENA TO RUDISILL
WOODLAND: HOAGLAND TO CALHOUN
TABER: HOADLAND TO HARRISON
DAYTON: BEAVER TO FAIRFIELD
LEXINGTON: SOUTH WAYNE TO FAIRFIELD
KINSMOOR: SOUTH WAYNE TO FAIRFIELD
CALUMET: PETTIT TO MAPLE GROVE
CALUMET: FLEMING TO CALHOUN
NUTTMAN: BEAVER TO INDIANA
PARKVIEW: BROADWAY TO LINDLEY
LINDLEY: TAYLOR TO NORTH TERMINUS
LAVINA: BROADWAY TO FAIRFIELD
MASTERSON: CALHOUN TO FAIRFIELD
WEBSTER: TABLER TO BUTLER
HOAGLAND: RUDISILL TO WILDWOOD
PACKARD: WEBSTER TO HARRISON
PACKARD: HOAGLAND TO WEBSTER
PACKARD: SOUTH WAYNE TO FAIRFIELD

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 6 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

RESOLUTION OF THE CITY OF FORT WAYNE, BOARD OF PUBLIC WORKS (BOARD) APPROVING ONE TIME LUMP SUM PAYMENT TO CSX TRANSPORTATION, INC.

WHEREAS, the Board of Public Works of the City of Fort Wayne ("City")pays annual rental or license fees of over $400 to the railroad company known as CSX Transportation, Inc. ("CSXT") for the purpose of securing a water line encroachment on railroad property at two locations and pursuant to contracts entered into in the years 1988 (Contract # CR291387) and 2000 (Contract # NYC037992), both contracts attached hereto as Exhibit A and incorporated by this reference in this Resolution; and

WHEREAS, CSXT has agreed to a lump sum payment from the City of $7,771.19 in lieu of the annual license fees on both of the identified contracts; and

WHEREAS, as part of said agreement, CSXT guarantees that no conveyance of their property will made unless it is subject to the terms of this "lump-sum" arrangement; and

WHEREAS, it is in the interest of the City to approve and participate in such an agreement for three primary reasons: 1) elimination of the annual fee which is normally paid for the life of the utility, 2) elimination of administrative costs to review, approve, and process payments and 3) elimination of future increases in rental or license fees.

NOW THEREFORE, BE IT RESOLVED by the City of Fort Wayne, Board of Public Works, that:

1. The Board hereby approves the Supplemental Agreement (attached hereto as Exhibit B and made a part hereof) between CSXT and the City for a lump sum payment which will cover all anticipated license/rental fees associated with the two encroachments addressed in the aforesaid contracts.

2. The Board hereby approves the release of proper funding ($7,771.19) for the payment of the lump sum fee associated with said Supplemental Agreement after it has been agreed to by all parties.

CITY OF FORT WAYNE, BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson , Member

Attest: Carolyn S. Newport, Clerk

This Resolution was prepared by: James T. Howard, Attorney to the Board of Works, City County Building, Room 910, Fort Wayne, Indiana 46802

EXHIBIT A

77.263-12
4/20/88

CR 291 387

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Copy

CONSOLIDATED RAIL CORPORATION

LICENSE AGREEMENT FOR WIRE, PIPE AND CABLE TRANSVERSE CROSSINGS AND LONGITUDINAL OCCUPATIONS

THIS AGREEMENT, made this ~~16th~~ 20th day of April ~~March~~, 1988, between **CONSOLIDATED RAIL CORPORATION**, a Pennsylvania Corporation party of the first part (hereinafter called "Railroad") and **CITY OF FORT WAYNE**, a Political Subdivision of the State of Indiana, as party of the second part (hereinafter called "Licensee").

WITNESSETH, that said Railroad (which when used herein shall include any lessor, successor, or assignee of or operator over its railroad) insofar as it has the legal right and its present title permits, and in consideration of the covenants and conditions hereinafter stated on the part of Licensee to be kept and performed, hereby permits, as a temporary license, Licensee to construct, maintain, repair, alter, renew, relocate, and ultimately remove:

> **one (1) 16-inch ductile iron water pipe, encased in a 30-inch steel pipe through the lands and under and across the roadway and tracks of the Fort Wayne Line of Railroad (Line Code 3102) (formerly held by The Pennsylvania Railroad Company) at Valuation Station 16669+57±, (Mile Post 315.10), located 545 feet west of Mile Post 315, at a point 0.64 of a mile west of the Station of Adams, Allen County, Indiana,**

in accordance with construction plans **dated February 15, 1988,** submitted by Licensee to and approved by the Chief Engineer of Railroad, incorporated herein by reference; also in accordance with current issues of Railroad Specifications Nos. CE 4 and/or CE 8; and shown on Plan No. **C-2688,** dated **February 29, 1988,** marked Exhibit "A", attached hereto and made a part of this Agreement, all and any part thereof being hereafter referred to as the "FACILITIES"; said license, however, shall be under and subject to the following terms,

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covenants, and conditions as hereinafter recited, which are hereby accepted and agreed to, by Licensee, to wit:

1. The Licensee shall pay to Railroad upon the execution hereof, the sum of **Three Hundred Fifty Dollars ($350.00)** as reimbursement for the costs and expenses incident to the preparation of this Agreement, together with the further sum of **One Hundred Dollars ($100.00)** per year as minimum annual rental, which said sum shall be payable annually in advance, commencing as of ~~April 1~~ MAY 1, **1988.** Railroad reserves the right to make adjustments in these rental charges.

2. (a) The FACILITIES shall be located, constructed and maintained in exact accordance with said construction plans and for the purpose as outlined in Page 1. No departure shall be made at any time therefrom except upon permission in writing granted by the Chief Engineer of Railroad, or his designee, provided, however, that if any commission or other regulatory body duly constituted and appointed in compliance with the laws of the State in which the crossing or occupancy herein provided is situate, and having jurisdiction in the premises, has by ruling or other general order determined and fixed the manner and means of construction, maintenance, repair, alteration, renewal, relocation, or removal thereof, then said ruling or general order shall prevail for the crossing or occupancy herein mentioned.

(b) The work of constructing, maintaining, repairing altering, renewing, relocating or removing the said FACILITIES shall be done under such general conditions as will be satisfactory to and approved by the Chief Engineer of Railroad, or his designee, and as will not interfere with the proper and safe use, operation and enjoyment of the property of Railroad. Licensee, at its own cost and expense, shall, when performing any work in connection with the FACILITIES, furnish any necessary inspectors, flagmen or watchmen to see that men, equipment, and materials are kept a safe distance away from the tracks of Railroad.

(c) In addition to, but not in limitation of any of the foregoing provisions, if at any time Railroad should deem inspectors, flagmen or watchmen desirable or necessary

to protect its operations or property, or its employees, patrons or Licensees during the work of construction, maintenance, repair, alteration, renewal, relocation, or removal of said FACILITIES, of Licensee, Railroad shall have the right to place such inspectors, flagmen or watchmen at the sole risk, cost and expense of Licensee, which covenants and agrees to bear the full cost and expense thereof and to promptly reimburse Railroad upon demand. The furnishing or failure to furnish inspectors, flagmen or watchmen by Railroad, however, shall not release Licensee from any and all other liabilities assumed by Licensee under the terms of this Agreement.

3. If Licensee desires or is required, as herein provided, to revise, renew, add to or alter in any manner whatsoever the aforementioned FACILITIES, it shall submit plans to Railroad and obtain the written approval of the Chief Engineer of Railroad thereto before any work or alteration of the structure is performed and the terms and conditions of this Agreement with respect to the original construction shall apply thereto. Railroad reserves the right to make adjustments in the rental charges.

4. (a) Licensee shall at all times be obligated to promptly maintain, repair, and renew said FACILITIES; and shall, upon notice in writing from Railroad and requiring it so to do, promptly make such repairs and renewals thereto as may be required by Railroad; or Railroad, for the purpose of protecting and safeguarding its property, traffic, patrons or employees from damage or injury, may with or without notice to Licensee at any time make such repairs and renewals thereto and furnish such material therefor as it deems adequate and necessary, all at the sole cost and expense of Licensee.

(b) In the event of an emergency, Licensee will take immediate steps to perform any necessary repairs, and in the event Licensee fails so to do, Railroad will perform said necessary repairs at the sole cost and expense of Licensee.

5. (a) The supervision over the location of the construction work and inspection of the FACILITIES and the approval of the material used in construction, maintenance, repair, alteration, renewal, relocation and removal of the

aforesaid FACILITIES covered by this Agreement shall be within the jurisdictional rights of Railroad.

(b) The right of supervision over the location of the construction work and inspection of the FACILITIES from time to time thereafter by Railroad, shall extend for an appropriate distance on each side of the property of Railroad as the method of construction and materials used may have an important bearing upon the strength and stability of the FACILITIES over, under, upon, or in the property of Railroad.

6. Licensee shall comply with all Federal, State and local laws, and assume all cost and expense and responsibility in connection therewith, without any liability whatsoever on the part of Railroad.

7. (a) It is understood between the parties hereto that the operations of Railroad at or near said FACILITIES involve some risk, and Licensee as part of the consideration for this license hereby releases and waives any right to ask for or demand damages for or account of loss of or injury to the FACILITIES (and contents thereof) of Licensee that are over, under, upon, or in the property and facilities of Railroad including the loss of or interference with service or use thereof and whether attributable to the fault, failure or negligence of Railroad or otherwise.

(b) And Licensee also covenants and agrees to and shall at all times indemnify, protect and save harmless Railroad from and against all cost or expense resulting from any and all losses, damages, detriments, suits, claims, demands, costs and charges which the said Railroad may directly or indirectly suffer, sustain or be subjected to by reason or on account of the construction, placement, attachment, presence, use, maintenance, repair, alteration, renewal, relocation or removal of said FACILITIES in, on, about or from the premises of Railroad whether such losses and damages be suffered or sustained by Railroad directly or by its employees, patrons, or licensees, or be suffered or sustained by other persons or corporations, including Licensee, its employees and agents who may seek to hold Railroad liable therefor, and whether attributable to the fault, failure or negligence of Railroad or otherwise,

except when proved by Licensee to be due directly to the sole negligence of Railroad.

(c) If a claim or action is brought against either party and for which the other party may be responsible hereunder in whole or in part, such other party shall be notified and permitted to participate in the handling or defense of such matter.

8. All cost and expenses in connection with the construction, maintenance, repair, alteration, renewal, relocation and removal of said FACILITIES shall be borne by Licensee, and in the event of work being performed or material furnished by Railroad under the stipulated right to perform such work of construction, maintenance, repair, alteration, renewal, relocation or removal under any section hereof, Licensee agrees to pay to Railroad the actual cost of material plus the current applicable overhead percentages for storage, handling, transportation, purchasing and other related material management expenses and the actual cost of labor plus the current applicable overhead percentages as developed and published by the accounting department of Railroad for fringe benefits, payroll taxes, administration, supervision, use of tools, machinery and other equipment, supplies, employers liability insurance, public liability insurance, and other insurance, taxes and all other indirect expenses. It is to be understood that the aforementioned material and labor overhead charges are to be applied at the rates which are effective at the time of the performance of any work by employees of Railroad on the said FACILITIES. Licensee agrees to pay such bills within thirty (30) days of the presentation thereof by Railroad.

9. Licensee shall, at its sole cost and expense, upon request in writing of Railroad, promptly change the location of said FACILITIES covered by this Agreement, where located over, upon or in the property and facilities of Railroad, to another location, to permit and accommodate changes of grade or alignment and improvement in or additions to the facilities of Railroad upon land now or hereafter owned or used by Railroad to the intent that said construction shall at all times comply with the terms and conditions of this Agreement with respect to the original construction; or in the event of the lease, sale or

disposal of the premises or any part thereof encumbered by this license, then said Licensee shall make such adjustments or relocations in its FACILITIES as are over, upon or in the property and facilities of Railroad as may be required by said Railroad or its grantee; and if Licensee shall fail or refuse to comply therewith, then the duly authorized agents of Railroad may make such repairs or adjustments or changes in location and provide necessary material therefor.

10. Upon termination of this Agreement or upon the removal or abandonment of the FACILITIES covered hereby, all the rights, title and interest of Licensee hereunder shall cease and determine, and this instrument shall thereupon become and be null and void, without any liability on the part of either party to the other party except only as to any rentals and liability accrued prior thereto, and Licensee shall remove its said FACILITIES and appurtenances from Railroad property, and right of way and all property of Railroad shall be restored in good condition and to the satisfaction of Railroad. If Licensee fails or refuses to remove its FACILITIES and appurtenances under the foregoing conditions, Railroad shall be privileged to do so at the cost and expense of Licensee, and Railroad shall not be liable in any manner to Licensee for said removal.

11. In the event the FACILITIES consist of an underground occupation, Licensee will be responsible for any settlement caused to the roadbed, right of way and/or tracks, facilities, and appurtenances of Railroad arising from or as a result of the installation of the said FACILITIES for a period of one (1) year subsequent to the date of completion of the installation, and Licensee agrees to pay to Railroad on demand the full cost and expense therefor.

12. In the event the said FACILITIES consist of electrical power or communication wires and/or appurtenances, Licensee shall at all times be obligated promptly to remedy any inductive interference growing out of or resulting from the presence of its FACILITIES; and if Licensee should fail so to do, then Railroad may do so, and Licensee agrees to pay to Railroad on demand the full cost and expense therefor.

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13. As part of the consideration of the within Agreement, Licensee covenants and agrees that no assessments, taxes or charges of any kind shall be made against Railroad or its property by reason of the construction of said FACILITIES of Licensee, and Licensee further covenants and agrees to pay to Railroad promptly upon bills rendered therefor the full amount of any assessments, taxes or charges of any kind which may be levied, charged, assessed or imposed against Railroad or its property by reason of the construction and maintenance of said FACILITIES of Licensee.

14. The rights conferred hereby shall be the privilege of Licensee only, and no assignment or transfer hereof shall be made, or other use be permitted than for the purpose stated on Page 1 without the consent and agreement in writing of Railroad being first had and obtained.

15. This Agreement with the rights granted may be terminated at any time by either party hereto upon not less than thirty (30) days' written notice to the other; and upon the expiration of the said thirty (30) days after service of such notice, this Agreement and the permission and privilege hereby granted shall absolutely cease and terminate.

16. This Agreement shall take effect as of the ~~First~~ Seventeenth day of ~~March~~ April, A.D. 1988, subject to the provisions of Article "17".

17. This Agreement will not become valid until the method of installation and all related matters have been approved by the Chief Engineer - Design and Construction of Railroad or his duly designated representative.

18. Automobile mileage charges incurred by aforementioned Railroad inspectors, flagmen or watchmen in connection with the installation, maintenance, etc., of said FACILITIES will be based on allowances approved by The United States Government in effect at the time the expenses are incurred.

19. This Agreement is authorized to be entered into by Resolution, or Ordinance No.
Adopted April 20, 19 ?? , By

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The City of Fort Wayne, a Certified copy of which is attached hereto.

20. The charges provided in Article "1" as fixed minimum annual rent, shall on an annual basis, be increased or decreased by the same percentage of increase or decrease as reflected in the "Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W)(1967 = 100) specified for All Items - United States compiled by the Bureau of Labor Statistics of the United States Department of Labor." In no event, however, shall the rent be less than the fixed minimum rent payable as of the effective date of this Agreement.

The fixed minimum rent payable shall be increased or decreased in accordance with the following:

(a) The fixed minimum rent shall be adjusted annually, commencing ~~March,~~ April MAY 1989.

(b) Each adjustment shall be made with reference to the price index for the fourth month immediately preceding the effective date of each adjustment (Current Price Index).

(c) Each such adjustment shall be made by determining the percentage increase of the then Current Price Index divided by the price index for the full calendar month of the effective date of this lease (Base Price Index).

(d) The percentage thus determined shall be multiplied by the then applicable fixed minimum rent hereinabove set forth, and the product thus determined shall represent the increase payable in addition to the fixed minimum rent until a subsequent adjustment shall be made under this section.

$$\frac{\text{Current Price Index}}{\text{Base Price Index}} \times \text{Fixed Minimum Rent Payable} = \text{Rent}$$

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In the event the index shall hereafter be converted to a different standard reference base or otherwise revised, the determination of the percentage increase shall be made with the use of such conversion factor, formula or table for converting the index as may be published by the Bureau of Labor Statistics or, if said Bureau shall not publish the same, then as shall be reasonably determined by Railroad.

The terms of this Agreement shall be binding and effective upon all the parties hereto, and unless and until terminated, as hereinbefore provided, this Agreement shall inure to the benefit of and be binding upon the parties hereto, their successors and assigns, subject, however, to the provisions of Article "14" of this Agreement.

IN WITNESS WHEREOF, the said parties hereto have caused this Agreement to be duly executed and delivered as of the day and year first above written.

WITNESS:

J. F. Holland

CONSOLIDATED RAIL CORPORATION

BY: C E Wogan
C. E. Wogan
General Manager - Contracts

WITNESS:

Thelma A. Morris

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS AND SAFETY

BY: Angela S. Derheimer
Angela S. Derheimer, Director of Public Works

BY: Robert E. Love
Robert E. Love, Director of Public Safety

BY: C. David Silletto
C. David Silletto, Director of Finance & Administration

CERTIFICATION OF RESOLUTION

The undersigned clerk of the Board of Public Works of the City of Fort Wayne, Indiana herewith certifies that at a regularly held meeting of said Board held on April 20, 1988, said Board adopted the following resolution:

> Be it resolved, that the Board of Public Works of the City of Fort Wayne, Indiana for and on behalf of said City enter into that certain "License Agreement for Wire, Pipe and Cable Transverse Crossings and Longitudinal Occupations" with Consolidated Rail Corporation dated 4/20/88.
>
> Be it further resolved, that the clerk of the Board of Public Works of the City of Fort Wayne, Indiana furnish said Consolidated Rail Corporation with a certified copy of the foregoing resolution.

291 38

INSTALL 16" BUTTERFLY VALVE

765

INSTALL 16" BUTTERFLY VALVE

R. R. FILE: C-2688
EXHIBIT "A" SCALE: 1"=50' HOR.
2-29-88 1"=5' VERT.

34+00 33+00 32+00

N

SCALE: 1"=30'

R.R. R/W

R/W

POWER POLE

CONRAIL

& CROSSING
STA. 1669+57±
545' W. OF M.P. 315
0.64 mi. W. OF STA. IF
ADAMS, IND.

CENTER ROAD

33'

R/W

20' TEMPOR WATERLINE EASEMENT

15' PERMANENT WA LINE EASEMENT

POWERPOLE

16" BUTTERFLY VALVE

BRUSH

115± L.F. 30" STEEL PIPE & 90± L.F. OF CARRIER PIPE

BORING ARRANG SEE PARAGRAF PG. 14 IN THE C CE-8 SPECS.

R.R. R/W

STEEL POST

R.R. SIGNAL W/ GATE

7348
V2 IND
1

FT. WAYNE LINE
(L.C. 3102)

POWERPOLE W/ GUY WIRE

12" CMP

POWERPOLE

POWERPOLE W/ GUY WIRE

TYPE I FIRE HYDR

16" BUTTERFLY VALVE

℄ R.R. R/W

JAMES C. BRADLEY
REGISTERED
No. 20184
STATE OF INDIANA
PROFESSIONAL ENGINEER

James C. Bradley
7-16-20

ROBERT C. TURNBELL
REGISTERED
No. 3986
STATE OF INDIANA
PROFESSIONAL ENGINEER

CONRAIL

May 7, 1999

Registry No. : 291387
Contract Date : April 20, 1988
Rent No. : 43987382
CSXT Contract No. : CR 291387

City of Fort Wayne
Water Util Rm 710
One Main Street
Fort Wayne, IN 46802

Re: Pipeline - Water - Crossing at / or near Adams, IN.

By the terms of that certain operating agreement, dated June 1, 1999, between CSX Transportation, Inc. ("CSXT") and New York Central Lines, LLC, a Delaware limited liability company (a wholly owned subsidiary of Consolidated Rail Corporation), CSXT has been granted the right to manage certain real estate assets, including those leased or licensed to your company, as covered by the above referenced agreement.

All future rental payments and correspondence concerning this Contract should be sent to CSXT at the address indicated on your bill.

If you have any questions or concerns, please address them to:

Sheila W. Bazar
Director Property Services
CSX Transportation, Inc.
500 Water Street, S/C J-180
Jacksonville, FL 32202

All other terms and conditions of your referenced agreement shall remain in full force and effect.

Very truly yours,

CONSOLIDATED RAIL CORPORATION

Paul Catania
Manager Property Records

CSX TRANSPORTATION, INC.

Sheila W. Bazar
Director Property Services

Copy

PIPELINE CROSSING AGREEMENT

THIS AGREEMENT, Made as of February 28, 2000, by and between CSX Transportation, Inc., a Virginia corporation, as Operator for New York Central Lines LLC, a Delaware limited liability company, a wholly-owned subsidiary of Consolidated Rail Corporation, a Pennsylvania corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Licensor", and CITY OF FORT WAYNE, a municipal corporation, political subdivision or state agency, under the laws of the State of Indiana, whose mailing address is One Main Street, Room 480, Fort Wayne, Indiana 46802-1804, hereinafter called "Licensee", WITNESSETH:

WHEREAS, Licensee desires to construct and maintain a certain pipeline or duct work, solely for the transmission of potable water, hereinafter called "Pipeline" under or across the track(s) and property owned or controlled by Licensor at or near Fort Wayne, County of Allen, State of Indiana, located at Valuation Station 17029+80, Milepost QF-321.88, Fort Wayne Subdivision, hereinafter called the "Crossing"; as shown on print of Licensee's Drawing RRX-037992, dated January 31, 2000, attached hereto and made a part hereof; other details and data pertaining to said Pipeline being as indicated on Licensee's Application Form, dated February 8, 2000, also attached hereto and made a part hereof:

NOW, THEREFORE, in consideration of the mutual covenants, conditions, terms and agreements herein contained, the parties hereto agree and covenant as follows:

1. LICENSE:

1.1 Subject to Article 17, Licensor, insofar as it has the legal right, power and authority to do so, and its present title permits, and subject to:

(A) Licensor's present and future right to occupy, possess and use its property within the area of the Crossing for any and all purposes;

(B) All encumbrances, conditions, covenants, easements, and limitations applicable to Licensor's title to or rights in the subject property; and

(C) Compliance by Licensee with the terms and conditions herein contained;

does hereby license and permit Licensee to construct, maintain, repair, renew, operate, use, alter or change said Pipeline at the Crossing above solely for the use stated above, for the term herein stated, and to remove same upon termination.

1.2 The term Pipeline, as used herein, shall include only the pipes, ducts, casing, vents, manholes, connectors, fixtures, appliances and ancillary facilities devoted exclusively to the transmission usage above within the Crossing, and as shown on attached Application Form.

1.3 No additional Pipeline or Wireline or other facilities shall be placed, allowed or maintained by Licensee in, upon or along the Crossing except upon separate prior written consent of Licensor.

2. LICENSE FEE, TERM:

2.1 Licensee shall pay Licensor an annual non-refundable license fee of TWO HUNDRED AND 00/100 U.S. Dollars ($200.00) per year ("Fee") upon execution of this Agreement and annually thereafter. The Fee shall be subject to periodic review and adjustment by Licensor.

2.2 The Fee shall be adjusted on an annual basis by the same percentage of increase or decrease as reflected in the "Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (1982-84=100) specified for All Items - United States compiled by the Bureau of Labor Statistics of the United States Department of Labor" ("CPI"). In no event, however, shall the Fee be less than the Fee payable as of the effective date of this Agreement.

The Fee shall be increased or decreased in accordance with the following:

$$\frac{\text{Current Price Index}^{*}}{\text{Base Price Index}^{**}} \times \text{Fee} = \text{Adjusted Fee}$$

* Effective CPI in the fourth month prior to the anniversary date of the Agreement.

** Effective CPI at the time of the effective date of the Agreement.

In the event the CPI is converted to a different standard reference base or otherwise revised or changed, the calculation of the percentage increase or decrease shall be made with the use of such conversion factor, formula or table for converting the CPI as may be published by the Bureau of Labor Statistics or, if said Bureau shall not publish the same, then as reasonably determined by Licensor.

2.3 However, Licensee assumes sole responsibility for, and shall pay directly (or reimburse Licensor), any additional annual taxes and/or periodic assessments levied against Licensor or Licensor's property solely on account of said Crossing.

2.4 Effective date of this Agreement shall be the date first written above. This Agreement shall remain in effect from year-to-year, subject to the

right of either party hereto to terminate by thirty (30) days written notice given to the other party. Payment by Licensee of the Fee shall not be held to create an irrevocable license for any period. This Agreement shall also be revocable in the event of Licensee's default, as herein provided, Licensee's cessation of use of the Pipeline or removal of the Pipeline.

3. CONSTRUCTION, MAINTENANCE AND REPAIRS:

3.1 Licensee shall construct, maintain, relocate, repair, renew, alter, and/or remove said Pipeline, in a prudent, workmanlike manner, using quality materials and complying with: any applicable standard(s) or regulation(s) of Licensor (A.R.E.A. Specifications) and Licensee's particular industry, and/or any governmental or regulatory body having jurisdiction over the Crossing or Pipeline.

3.2 Location and construction of Pipeline shall be made strictly in accordance with design(s) and specifications furnished to and approved by Licensor, and of material(s) and size(s) appropriate for the purpose(s) above recited.

3.3 All Licensee's work and exercise of rights hereunder shall be undertaken at time(s) satisfactory to Licensor and so as to eliminate or minimize any impact on or interference with the safe use and operation of Licensor's track(s).

3.4 In the installation, maintenance, repair and/or removal of said Pipeline, Licensee shall not use explosives of any type or perform or cause any blasting without the separate express written consent of Licensor. As a condition to such consent, a representative will be assigned by Licensor to monitor blasting, and Licensee shall reimburse Licensor for the entire cost and/or expense of furnishing said monitor.

3.5 Any repairs or maintenance to Pipeline, whether resulting from acts of Licensee, or natural or weather events, which are necessary to protect or facilitate Licensor's use of its property, shall be made by Licensee promptly, but in no event later than thirty (30) days after Licensee has notice as to the need for such repairs or maintenance.

3.6 Licensor, in order to protect or safeguard its property, rail operations, equipment and/or employees from damage or injury, may request immediate repair or renewal of the Pipeline, and if the same is not performed, may make or contract to make such repairs or renewals, at the sole risk, cost and expense of Licensee.

3.7 Neither the failure of Licensor to object to any work done, material used, or method of construction or maintenance of said Crossing, nor any approval given or supervision exercised by Licensor, shall be construed as an admission of liability or responsibility by Licensor, or as a waiver by Licensor of any of the obligations, liability and/or responsibility of Licensee under this Agreement.

3.8 Licensee hereby agrees to reimburse Licensor any loss, cost or expense (including losses resulting from train delays and/or inability to meet train schedules) arising from any failure of Licensee to make or from improper or incomplete repairs or maintenance of Pipeline.

4. PERMITS, LICENSES:

4.1 Before any work hereunder is performed, or before use of the Crossing for the contracted purpose, Licensee, at its sole cost and expense, shall obtain all necessary permit(s) (including but not limited to zoning, building, construction, health, safety or environmental matters), letter(s) or certificate(s) of approval. Licensee expressly agrees and warrants that it shall conform and limit its activities to the terms of such permit(s), approval(s) and authorization(s), and shall comply with all applicable ordinances, rules, regulations, requirements and laws of any governmental authority (state, federal or local) having jurisdiction over Licensee's activities, including the location, contact, excavation and protection regulations of the Occupational Safety and Health Act (OSHA) (20 CFR 1926.651(b), et al.), and State "One Call" - "Call Before You Dig" requirements.

4.2 Licensee assumes sole responsibility for failure to obtain such permit(s) or approval(s), for any violations thereof, or for costs or expenses of compliance or remedy.

5. MARKING AND SUPPORT:

5.1 With respect to any subsurface installation upon Licensor's property, Licensee, at its sole cost and expense, shall:

(A) Support track(s) and roadbed of Licensor, in a manner satisfactory to Licensor;

(B) Backfill with satisfactory material and thoroughly tamp all trenches to prevent settling of surface of land and roadbed of Licensor; and

(C) Either remove any surplus earth or material from Licensor's property or cause said surplus earth or material to be placed and distributed at location(s) and in such manner as Licensor may approve.

5.2 After construction of Pipeline, Licensee shall:

(A) Restore said track(s), roadbed and other disturbed property of Licensor; and

(B) Erect, maintain and periodically verify the accuracy of aboveground markers, in a form approved by Licensor, indicating the location, depth and ownership of Pipeline or related facilities.

5.3 Licensee shall remain responsible for any settlement of the track(s) or roadbed for a period of one (1) year subsequent to completion of installation.

6. TRACK CHANGES:

6.1 In the event that Licensor's rail operations and/or track maintenance result in changes in grade or alignment of, additions to, or relocation of Licensor's track(s) or other facilities, or in the event future use by Licensor of right-of-way and property necessitate any change of location, height or depth of Pipeline or Crossing, Licensee, at its sole cost and expense and within thirty (30) days after notice in writing from Licensor, shall make changes in Pipeline or Crossing to accommodate Licensor's track(s) or operations.

6.2 If Licensee fails to do so, Licensor may make or contract to make such changes at Licensee's cost.

7. PIPE CHANGES:

7.1 Licensee shall periodically monitor and verify the depth or height of Pipeline and Crossing in relation to Licensor's tracks and facilities, and shall relocate Pipeline or change Crossing, at Licensee's expense, should such relocation or change be necessary to comply with the minimum clearance requirements of this Agreement or of any public authority.

7.2 If Licensee undertakes to revise, renew, relocate or change all or any part of Pipeline (including any change in circumference, diameter or radius of pipe or carrier pipe, change in operating pressure, or change in materials transmitted in and through said pipe), or is required by any public agency or court order to do so, plans therefor shall be submitted to Licensor for approval before any such change is made. After approval the terms and conditions of this Agreement shall apply thereto.

8. INTERFERENCE WITH RAIL FACILITIES:

8.1 Although the Pipeline/Crossing herein permitted may not presently interfere with Licensor's railroad operations or facilities, in the event that the operation, existence or maintenance of said Pipeline, in the sole judgment of Licensor, causes: (a) interference (physical, magnetic or otherwise) with Licensor's communication, signal or other wires, powerlines, train control system, or facilities; or (b) interference in any manner with the operation, maintenance or use by Licensor of its right-of-way, track(s), structures, pole line(s), devices, other property, or any appurtenances thereto; then and in either event, Licensee, upon receipt of written notice from Licensor of any such interference, and at Licensee's sole risk, cost and expense, shall promptly take such remedial action or make such changes in its Pipeline or its insulation or carrier pipe, as may be required in the reasonable judgment of Licensor to eliminate all such interference. Upon Licensee's failure to remedy or change, Licensor may do so or contract to do so, at Licensee's sole cost.

8.2 Without assuming any duty hereunder to inspect Licensee's Pipeline, Licensor hereby reserves the right to inspect same and to require Licensee to undertake necessary repairs, maintenance or adjustments to Pipeline, which Licensee hereby agrees to make promptly, at Licensee's sole cost and expense.

9. RISK; LIABILITY, INDEMNITY:

With respect to the relative risk and liabilities of the parties, it is hereby agreed that:

9.1 Licensee hereby assumes, and, to the fullest extent permitted by State law (Constitutional or Statutory, as amended), shall defend, indemnify and save Licensor harmless from and against any and all liability, loss, claim, suit, damage, charge or expense which Licensor may suffer, sustain, incur or in any way be subjected to, on account of death of or injury to any person whomsoever (including officers, agents, employees or invitees of Licensor), and for damage to or loss of or destruction of any property whatsoever, arising out of, resulting from, or in any way connected with the construction, presence, existence, repair, maintenance, replacement, operations, use or removal of Pipeline or any structure in connection therewith, or restoration of premises of Licensor to good order or condition after removal, EXCEPT when caused solely by the willful misconduct or gross negligence of Licensor. HOWEVER, during any period of actual construction, repair, maintenance, replacement or removal of pipeline, wherein agents, equipment or personnel of Licensee are on the railroad right-of-way, Licensee's liability hereunder shall be absolute, irrespective of any joint, sole or contributory fault or negligence of Licensor.

9.2 Use of Licensor's right-of-way involves certain risks of loss or damage as a result of Licensor's rail operations. Notwithstanding Section 9.1, Licensee expressly assumes all risk of loss and damage to Licensee's Property or Pipeline in, on, over or under the Occupancy, including loss of or any interference with use thereof, regardless of cause, including electrical field creation, fire or derailment arising out of Licensor's rail operations. For this Section, the term "Licensee's Property" shall include pipe contents as well as property of third parties situated or placed upon Licensor's right-of-way by Licensee or by such third parties at request of or for benefit of Licensee.

9.3 To the extent permitted by State law, as above, Licensee assumes all responsibility for, and agrees to defend, indemnify and hold Licensor harmless from: (a) all claims, costs and expenses, including reasonable attorneys' fees, as a consequence of any sudden or nonsudden pollution of air, water, land and/or ground water on or off the Crossing area, arising from or in connection with the use of this Crossing or resulting from leaking, bursting, spilling, or any escape of the material transmitted in or through said Pipeline; (b) any claim or liability arising under federal or state law dealing with either such sudden or nonsudden pollution of air, water, land and/or ground water arising therefrom or the remedy thereof; and (c) any subsidence or failure of lateral or subjacent support of Licensor's tracks arising from such Pipeline leakage, etc.

9.4 Obligations of Licensee hereunder to defend, indemnify and hold Licensor harmless shall also extend to companies and other legal entities that control or are controlled by or subsidiaries of or are affiliated with Licensor, and their respective officers, agents and employees.

9.5 If a claim is made or action is brought against either party, for which the other party may be responsible hereunder in whole or in part, such other party shall be notified and permitted to participate in the handling or defense of such claim or action.

10. INSURANCE:

10.1 Prior to commencement of surveys, construction or occupation of Crossing pursuant to this Agreement, Licensee shall procure, and shall maintain during the continuance of this Agreement, at Licensee's sole cost and expense, a policy of Commercial General Liability Insurance (CGL), naming Licensor as additional insured and covering liability assumed by Licensee under this Agreement. A coverage limit of not less than THREE MILLION DOLLARS ($3,000,000) Combined Single Limit per occurrence for bodily injury liability and property damage liability is currently recommended as a prudent limit to protect Licensee's assumed obligations. The evidence of insurance coverage shall be endorsed to provide for thirty (30) days' notice to RAILROAD prior to cancellation or modification of any policy.

10.2 If said CGL policy does not automatically cover Licensee's contractual liability during periods of survey, construction, maintenance and continued occupation, a specific endorsement adding such coverage shall be purchased by Licensee. If said CGL policy is written on a "claims made" basis instead of a "per occurrence" basis, Licensee shall arrange for adequate time for reporting losses. Failure to do so shall be at Licensee's sole risk.

10.3 Notwithstanding the provisions of Sections 10.1 and 10.2, Licensee, pursuant to State Statute(s), may self-insure or self-assume, in any amount(s), any contracted liability arising under this Agreement, under a funded program of self-insurance, which fund will respond to liability of Licensee imposed by and in accordance with the procedures established by law.

10.4 Securing such insurance shall not limit Licensee's liability under this Agreement, but shall be additional security therefor.

10.5 In the event that Licensee or its agents or contractor(s) shall perform construction or demolition operations within fifty feet (50') of any operated railroad track(s) or affecting any railroad bridge, trestle, tunnel, track(s), roadbed, overpass or underpass, Licensee shall (a) notify Licensor and (b) pay to Licensor the sum of TWO HUNDRED FIFTY AND 00/100 U.S. DOLLARS ($250.00), to cover the cost of adding this Occupancy (Crossing) to Licensor's Railroad Protective Liability (RPL) Policy for any period of actual construction or demolition.

11. GRADE CROSSINGS: FLAGGING:

11.1 Nothing herein contained shall be construed to permit Licensee, or any contractor of Licensee, to move any vehicles or equipment over track(s) of Licensor, except at public road crossing(s), without separate prior written approval of Licensor (CSXT Form 7422).

11.2 If Licensor deems it advisable, during the progress of any construction, maintenance, repair, renewal, alteration, change or removal of said Pipeline, to place watchmen, flagmen, inspectors or supervisors at the Crossing for protection of operations of Licensor or others on Licensor's right-of-way, and to keep persons, equipment and materials away from Licensor's track(s), Licensor shall have the right to do so at the expense of Licensee, but Licensor shall not be liable for failure to do so.

11.3 Subject to Licensor's consent and to Licensor's Railroad Operating Rules and existing labor agreements, Licensee may provide such flagmen, watchmen, inspectors or supervisors, during all times of construction, repair, maintenance, replacement or removal, at Licensee's sole risk and expense; and in such event, Licensor shall not be liable for the failure or neglect of such watchmen, flagmen, inspectors or supervisors.

12. LICENSOR'S COSTS:

12.1 Any additional or alternative costs or expenses incurred by Licensor to accommodate Licensee's continued use of Licensor's property as a result of Track Changes or Pipe Changes shall also be paid by Licensee.

12.2 Licensor's expense for wages ("force account" work) and materials for any work performed at the expense of Licensee pursuant hereto shall be paid by Licensee within thirty (30) days after receipt of Licensor's bill therefor, subject to Licensee's budgetary rules.

12.3 Such expense shall include, but not be limited to, cost of railroad labor and supervision under "force account" rules, plus current applicable overhead percentages, the actual cost of materials, and insurance, freight and handling charges on all materials used. Equipment rentals shall be in accordance with Licensor's applicable fixed rate(s).

12.4 All undisputed bills or portions of bills not paid within said thirty (30) days shall thereafter accrue interest at twelve percent (12%) per annum, unless limited by local law, and then at the highest rate so permitted. Unless Licensee shall have furnished detailed objections to such bills within said thirty (30) days, bills shall be presumed undisputed.

13. DEFAULT, BREACH, WAIVER:

13.1 The proper and complete performance of each covenant of this Agreement shall be deemed of the essence thereof, and in the event Licensee fails or refuses to fully and completely perform any of said covenants or to remedy any breach, within thirty (30) days after receiving a written notice from Licensor to do so (or within forty-eight (48) hours in the event of notice of a railroad emergency), Licensor shall have the option of immediately revoking this Agreement and the privileges and powers hereby conferred, regardless of license fee(s) having been paid in advance for any annual or other period. Upon such revocation, Licensee shall make removal in accordance with Article 14.

13.2 No waiver by Licensor of any breach of covenant or condition shall be construed as a permanent waiver of such covenant or condition, or any

subsequent breach thereof, unless such covenant or condition is permanently waived in writing by Licensor.

14. TERMINATION, REMOVAL:

14.1 All rights which Licensee may have hereunder shall cease upon the date of: (a) revocation, (b) termination, (c) subsequent agreement, or (d) Licensee's removal of Pipeline from the Crossing. However, neither revocation nor termination of this Agreement shall affect any claims and liabilities which may have arisen or accrued hereunder, and which at the time of termination or revocation have not been satisfied; neither party, however, waiving any third party defenses or actions.

14.2 Within thirty (30) days after revocation or termination, Licensee, at its sole risk and expense, shall (a) remove Pipeline from the right-of-way of Licensor, unless the parties hereto agree otherwise, (b) restore property of Licensor in a manner satisfactory to Licensor, and (c) reimburse Licensor any loss, cost or expense of Licensor resulting from such removal.

15. NOTICE:

15.1 Licensee shall give Licensor's Division Engineer (1700 West 167th Street, Calumet City, IL 60409) at least five (5) days' written notice before doing any work on Licensor's right-of-way, except that in cases of emergency shorter notice may be given to said Division Engineer.

15.2 All other notices and communications concerning this Agreement shall be addressed to Licensee at the address above, and to Licensor at the address above, c/o CSXT Contract Administration, J180; or at such other address as either party may designate in writing to the other.

15.3 Unless otherwise expressly stated herein, all such notices shall be in writing and sent via Certified or Registered Mail, Return Receipt Requested, or by courier, and shall be effective upon (a) actual receipt, or (b) date of refusal of such delivery.

16. ASSIGNMENT:

16.1 The rights herein conferred are the privilege of Licensee only, and Licensee shall obtain Licensor's prior written consent to any assignment of Licensee's interest herein; said consent shall not be unreasonably withheld.

16.2 Subject to Sections 2.3 and 16.1, this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors or assigns.

16.3 Licensee shall give Licensor notice of any legal succession (by merger, consolidation, reorganization, etc.) or other change of legal existence or status of Licensee, with a copy of documents attesting to such change or legal succession, within thirty (30) days thereof.

16.4 Licensor expressly reserves the right to assign this Agreement, in whole or in part, to any grantee or vendee of Licensor's underlying property interests in the Crossing, upon notice thereof to Licensee.

16.5 In the event of any unauthorized sale, transfer, assignment, sublicense or encumbrance of this Agreement, or any of the rights and privileges hereunder, Licensor, at its option, may revoke this Agreement by written notice to Licensee or any such assignee; and Licensee shall reimburse Licensor any loss, cost or expense incurred by Licensor as a result of Licensee's failure to obtain said consent.

17. TITLE; LIENS, ENCUMBRANCES:

17.1 Licensee understands that Licensor occupies, uses and possesses lands, rights-of-way and rail corridors under all forms and qualities of ownership rights or facts, from full fee simple absolute to bare occupation. Accordingly, nothing in this Agreement shall act as or be deemed to act as any warranty, guaranty or representation of the quality of Railroad's title for any particular Right-of-Way in Crossing(s) occupied, used or enjoyed in any manner by Licensee under any rights created in this Agreement. It is expressly understood that Railroad does not warrant title to any Right-of-Way in Crossing(s), and Licensee will accept the grants and privileges contained herein, subject to all lawful outstanding existing liens, mortgages and superior rights in and to the Right-of-Way, and all leases, licenses and easements or other interests previously granted to others herein.

17.2 The term "license", as used herein, shall mean with regard to any portion of the Right-of-Way which is owned by Licensor in fee simple absolute, or where the applicable law of the State where the Crossing is located otherwise permits Licensor to make such grants to Licensee, as "permission to use" the Right-of-Way, with dominion and control over such portion of the Right-of-Way remaining with Licensor, and no interest in or exclusive right to possess being otherwise granted to Licensee. With regard to any other portion of Right-of-Way occupied, used or controlled by Licensor under any other facts or rights, Licensor merely waives its exclusive right to occupy the Right-of-Way and grants no other rights whatsoever under this Agreement, such waiver continuing only so long as Licensor continues its own occupation, use or control, and Licensee acknowledges that it does not have the right to occupy any such portion of the Right-of-Way without also receiving the consent of the owner of the fee simple absolute estate. In such cases, Licensee shall not be permitted access to the Right-of-Way until it provides Licensor with evidence, reasonable satisfactory in Licensor's sole discretion, that it has either obtained the consent of the owner of the fee simple absolute estate, or does not otherwise require such consent. Further, Licensee shall not obtain, exercise or claim any interest greater than the rights of Licensor in the Right-of-Way, under this Agreement.

17.3 Licensee agrees it shall not have nor shall it make, and hereby completely and absolutely waives its right, to any claim against Railroad for damages on account of any deficiencies in title to the Right-of-Way in the event of failure or insufficiency of Railroad's title to any portion thereof arising from Licensee's use or occupancy thereof.

17.4 Licensee agrees to full and completely indemnify and defend all claims or litigation for slander of title, overburden of easement, or similar claims arising out of or based upon Licensee's facilities placement, or the presence of Licensee's facilities in, on or along any Crossing(s), including claims for punitive or special damages.

17.5 Licensee shall not at any time own or claim any right, title or interest in or to Licensor's property occupied by the Crossings(s), nor shall the exercise of this Agreement for any length of time give rise to any right title or interest in License to said property other than the license herein created.

18. GENERAL PROVISIONS:

18.1 This Agreement, and the attached specifications, contains the entire understanding between the parties hereto.

18.2 Neither this Agreement, any provision hereof, nor any agreement or provision included herein by reference, shall operate or be construed as being for the benefit of any third person.

18.3 Neither the form of this Agreement, nor any language herein, shall be interpreted or construed in favor of or against either party hereto as the sole drafter thereof.

18.4 This Agreement is executed under current interpretation of applicable federal, state, county, municipal or other local statute, ordinance or law(s). However, each separate division (paragraph, clause, item, term, condition, covenant or agreement) hereof shall have independent and severable status for the determination of legality, so that if any separate division is determined to be void or unenforceable for any reason, such determination shall have no effect upon the validity or enforceability of each other separate division, or any combination thereof.

18.5 This Agreement shall be construed and governed by the laws of the state in which the Pipeline and Crossing is located.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate (each of which shall constitute an original) the date first above written.

Witness for Licensor:

CSX TRANSPORTATION, INC.

_____ By:_____

Print/Type Name:_____

Print/Type Title:_____

Witness for Licensee:

CITY OF FORT WAYNE

see attached signature page

_____ By:_____

Who, by the execution hereof, affirms that he/she has the authority to do so and to bind the Licensee to the terms and conditions of this Agreement.

Print/Type Name:_____

Print/Type Title:_____

Tax Identification No.:_____

Authority under Ordinance or
Resolution No. _____,
dated _____.

Approved this 8th day of March 2000.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Stafford, Member

John Morgan, Member

ATTEST: Rhonda S. Miller
Rhonda S. Miller, Clerk Protem

CSXT 7455 Rev. 3/1/98

APPLICATION FOR PIPELINE **CROSSING** UNDER/OVER PROPERTIES AND TRACK

(For RR Use) Division CG-CHICAGO Subdivision FW-FORT WAYNE Val Sec. (Map) V3IND/1

Location: Val. Sta. 17029+80 Milepost QF-321.88 No. Crossings 1

Application and plans must be approved and written authority received from the Railroad Company before construction is begun. Original and one copy of both application and drawing, along with a nonrefundable Application Fee in the amount of $300.00 should be submitted to: CSX Transportation, Property Services J180, 500 Water Street, Jacksonville, FL 32202.

1. Reference/File Number: Main/Leesburg Feeder Main, Area II
2. Complete Legal Name of applicant: City of Fort Wayne
   Company Contact Name: Ted Nitza Title: Program Mgr., Water Dist.
   Telephone: (219) 427-1160 Fax: (219) 427-1353
3. Address: One Main Street Room 480 City: Fort Wayne State: Indiana Zip: 46802-1804
4. Type of business: ____ Individual, ____ Developer, X Municipality, ____ Corporation, (State in which incorporated: ____), ____ Partnership, (type and state of Partnership ____)
5. Location: 612 feet SE (direction) from Railroad Milepost ~~See attached map~~ 322
   Valuation Station of Crossing if known: ____ Val. Map No. ____
6. Town: Fort Wayne County: Allen State: Indiana
7. Angle of crossing: 81°
8. Temporary track support or riprapping required? Yes ____ No X (Describe and Detail on Drawing)
9. Wires, poles, obstructions to be relocated? Yes ____ No X (Describe and Detail on Drawing)
10. Product to be conveyed water Flammable? Yes ____ No X Temperature ____
11. Max. Working Pressure 85 PSI Field Test Pressure 125 PSI Type Test Hydrostatic
12. Location of shut-off valves 2200' west of bore and 3400'east of bore
13. Number of manholes located on Railroad Right-of-Way: N/A
14. PIPE SPECIFICATIONS:

	CARRIER PIPE:	CASING PIPE:
Material	Ductile Iron	Steel
Material Specifications & Grade	AWWA C150 ANSI A21.50, 50	AWWA C200 ASTM A570
Minimum Yield Strength of Material PSI	Pressure Class 250	35,000
Inside Diameter	16.72"	30"
Wall Thickness	0.34"	.469"
Outside Diameter	17.40"	30.94"
Type of Seam	Cast/ductile	n/a
Kind of Joints	MJ-Restrained	Welded
Total Length Within Railroad Right-of-Way	75	75

Vents: Number None Size ____ Height above ground ____
Seals: Both ends Bulkhead One end ____
Bury: Base of rail to top of casing 21 feet, ____ inches, Bury (Not beneath tracks) ____ feet, ____ inches
Bury: (Below ditches) 5 feet, ____ inches
CATHODIC PROTECTION: Yes ____ No X
PROTECTIVE COATING: Yes X No ____ Kind Polyethylene Wrap

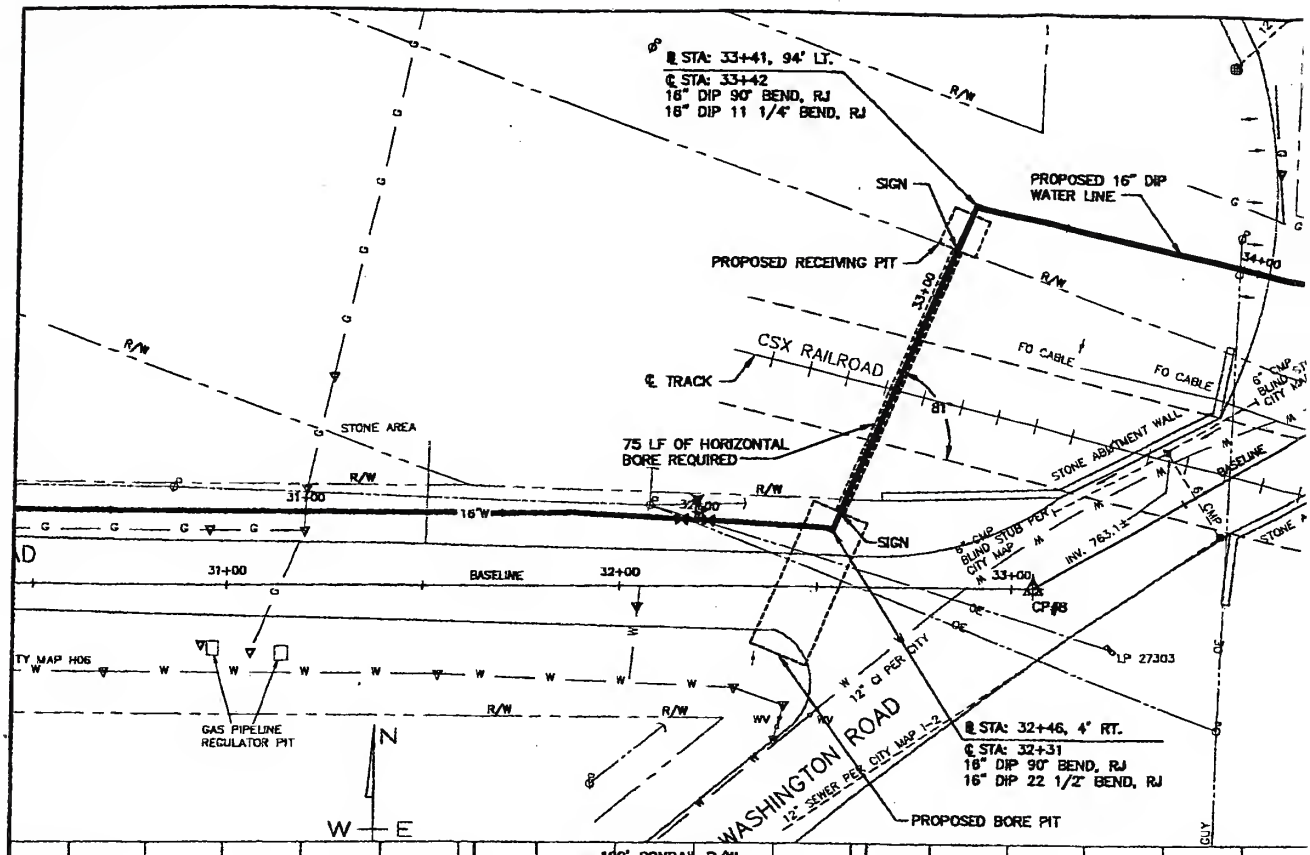
15. Method of installation Bore and Jack
16. If application is a revision to an existing agreement, give agreement number and date: N/A
17. If this a supplement to a master (general) agreement, give agreement number and date: N/A
18. If Aegis member, work to be performed by: ____ Contractor ____ Company employees
19. Will pipe be located in limits of public road Right-of-Way? Yes ____ No X. (If "yes", show name road number and width of Right-of-Way on print). DOT/AAR Crossing No. ____

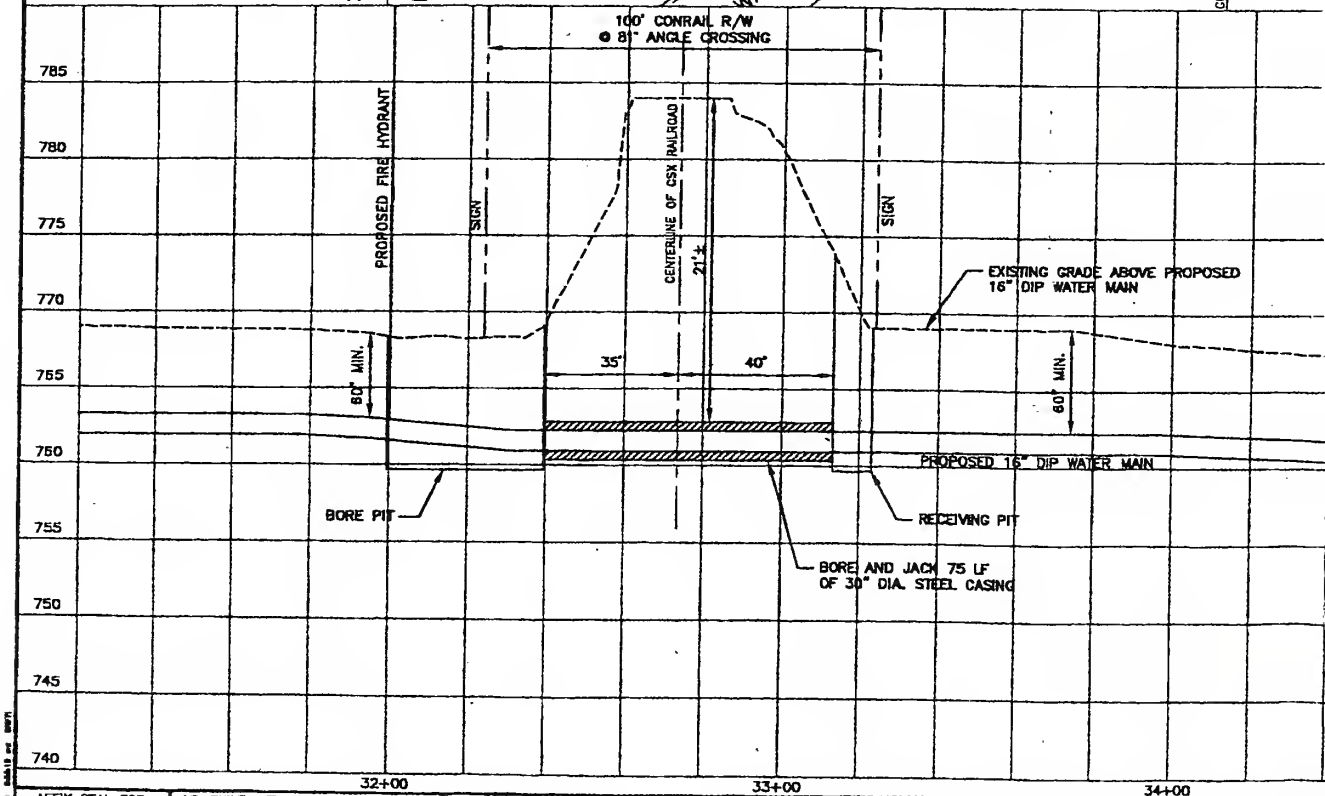
Proposal and construction must be in accordance with CSXT's Specifications, The American Railway Engineering Association, and any governing laws or regulations. **Please note that although the specifications furnished in the Pipeline Application Package are to be used as a guideline only, CSXT reserves the right to approve or decline an application.**

2/8/2000
Date

Thomas T. Nitza Program Manager for Water Distribution
Signature & Title of Officer Making Application

Please Type or Print Thomas T. Nitza, Jr., Program Mgr (219) 427-1160
Name Title Water Distribution Planning and Design Services Telephone Number





AFFIX SEAL FOR	AS-BUILT CERTIFICATION BY:	PLANS CERTIFIED BY:	AFFIX SEAL
AS-BUILT CERT.	THIS ___ DAY OF ____ , 2000	THIS ___ DAY OF ____ , 2000	

— REVISIONS —

NO.	DATE	DESCRIPTION	BY	APR.

CSXT 7455 Rev. 3/1/98

APPLICATION FOR PIPELINE **CROSSING** UNDER/OVER PROPERTIES AND TRACK

(For RR Use) Division CG-CHICAGO Subdivision FW-FORT WAYNE Val Sec. (Map) V3IND/1

Location: Val. Sta. 17029+80 Milepost QF-321.88 No. Crossings 1

Application and plans must be approved and written authority received from the Railroad Company before construction is begun. Original and one copy of both application and drawing, along with a nonrefundable Application Fee in the amount of $300.00 should be submitted to: CSX Transportation, Property Services J180, 500 Water Street, Jacksonville, FL 32202.

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2. Complete Legal Name of applicant: City of Fort Wayne
   Company Contact Name: Ted Nitza Title: Program Mgr., Water Dist.
   Telephone: (219) 427-1160 Fax: (219) 427-1353
3. Address: One Main Street Room 480 City: Fort Wayne State: Indiana Zip: 46802-1804
4. Type of business: _____ Individual, _____ Developer, X Municipality, _____ Corporation, (State in which incorporated: _____), _____ Partnership, (type and state of Partnership _____)
5. Location: 612 feet SE (direction) from Railroad Milepost ~~See attached map~~ 322
   Valuation Station of Crossing if known: _____ Val. Map No. _____
6. Town: Fort Wayne County: Allen State: Indiana
7. Angle of crossing: 81°
8. Temporary track support or riprapping required? Yes _____ No X (Describe and Detail on Drawing)
9. Wires, poles, obstructions to be relocated? Yes _____ No X (Describe and Detail on Drawing)
10. Product to be conveyed water Flammable? Yes _____ No X Temperature _____
11. Max. Working Pressure 85 PSI Field Test Pressure 125 PSI Type Test Hydrostatic
12. Location of shut-off valves 2200' west of bore and 3400'east of bore
13. Number of manholes located on Railroad Right-of-Way: N/A
14. PIPE SPECIFICATIONS:

	CARRIER PIPE:	CASING PIPE:
Material	Ductile Iron	Steel
Material Specifications & Grade	AWWA C150 ANSI A21.50, 50	AWWA C200 ASTM A570
Minimum Yield Strength of Material PSI	Pressure Class 250	35,000
Inside Diameter	16.72"	30"
Wall Thickness	0.34"	.469"
Outside Diameter	17.40"	30.94"
Type of Seam	Cast/ductile	n/a
Kind of Joints	MJ-Restrained	Welded
Total Length Within Railroad Right-of-Way	75	75

   Vents: Number None Size _____ Height above ground _____
   Seals: Both ends Bulkhead One end _____
   Bury: Base of rail to top of casing 21 feet, _____ inches, Bury (Not beneath tracks) ____ feet, _____ inches
   Bury: (Below ditches) 5 feet, _____ inches
   CATHODIC PROTECTION: Yes _____ No X
   PROTECTIVE COATING: Yes X No _____ Kind Polyethylene Wrap
15. Method of installation Bore and Jack
16. If application is a revision to an existing agreement, give agreement number and date: N/A
17. If this a supplement to a master (general) agreement, give agreement number and date: N/A
18. If Aegis member, work to be performed by: _____ Contractor _____ Company employees
19. Will pipe be located in limits of public road Right-of-Way? Yes _____ No X. (If "yes", show name road number and width of Right-of-Way on print). DOT/AAR Crossing No. _____

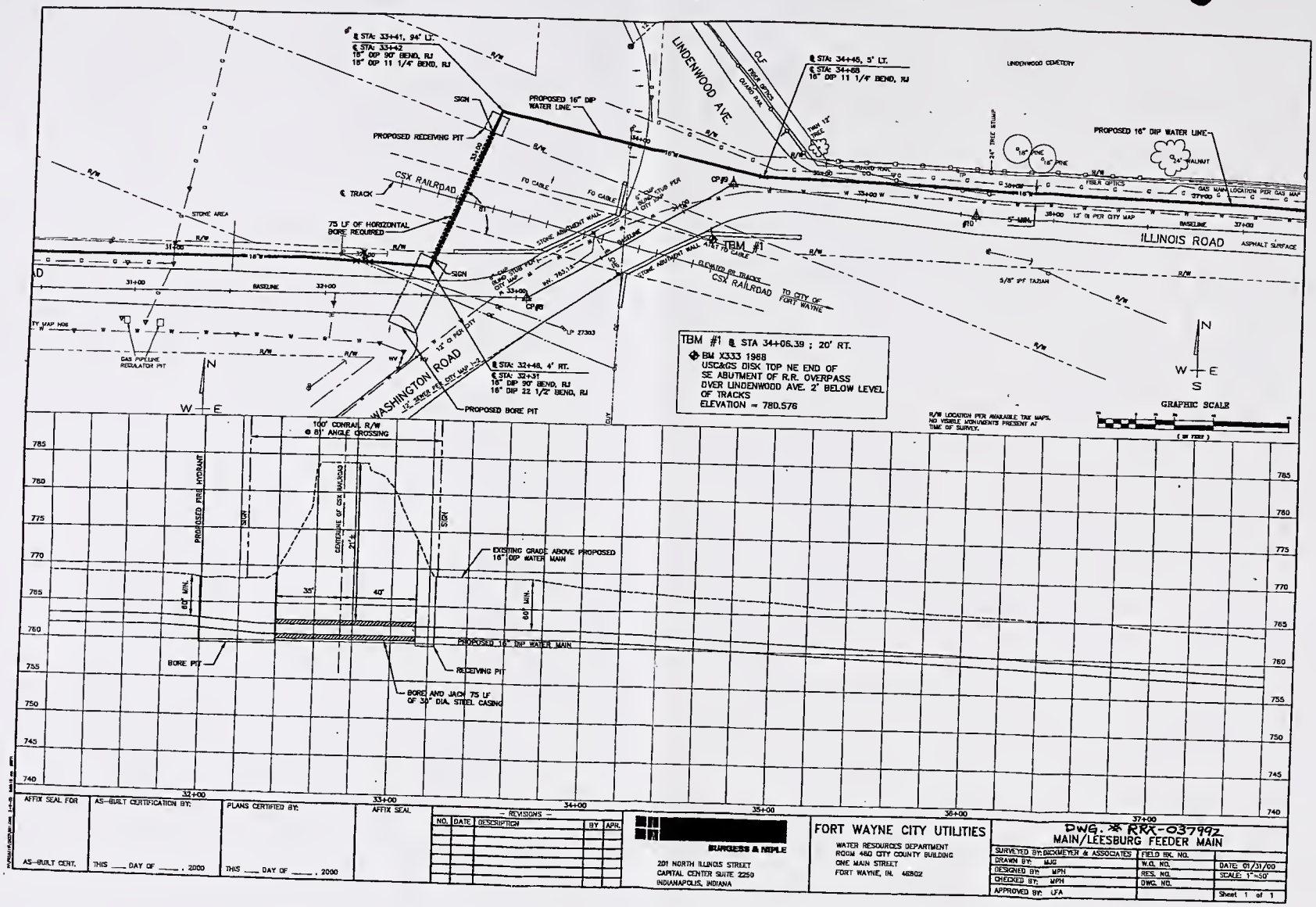
Proposal and construction must be in accordance with CSXT's Specifications, The American Railway Engineering Association, and any governing laws or regulations. **Please note that although the specifications furnished in the Pipeline Application Package are to be used as a guideline only, CSXT reserves the right to approve or decline an application.**

2/8/2000
Date

Thomas T. Nitza Program Manager for Water Distribution
Signature & Title of Officer Making Application

Please Type or Print: Thomas T. Nitza, Jr., Program Mgr (219) 427-1160
Name Title Water Distribution Telephone Number

Planning and Design Services



AFFIX SEAL FOR AS-BUILT CERT.

AS-BUILT CERTIFICATION BY:

THIS ___ DAY OF ___, 2000

PLANS CERTIFIED BY:

THIS ___ DAY OF ___, 2000

AFFIX SEAL

REVISIONS				
NO.	DATE	DESCRIPTION	BY	APR.

BURGESS & NIPLE

201 NORTH ILLINOIS STREET
CAPITAL CENTER SUITE 2250
INDIANAPOLIS, INDIANA

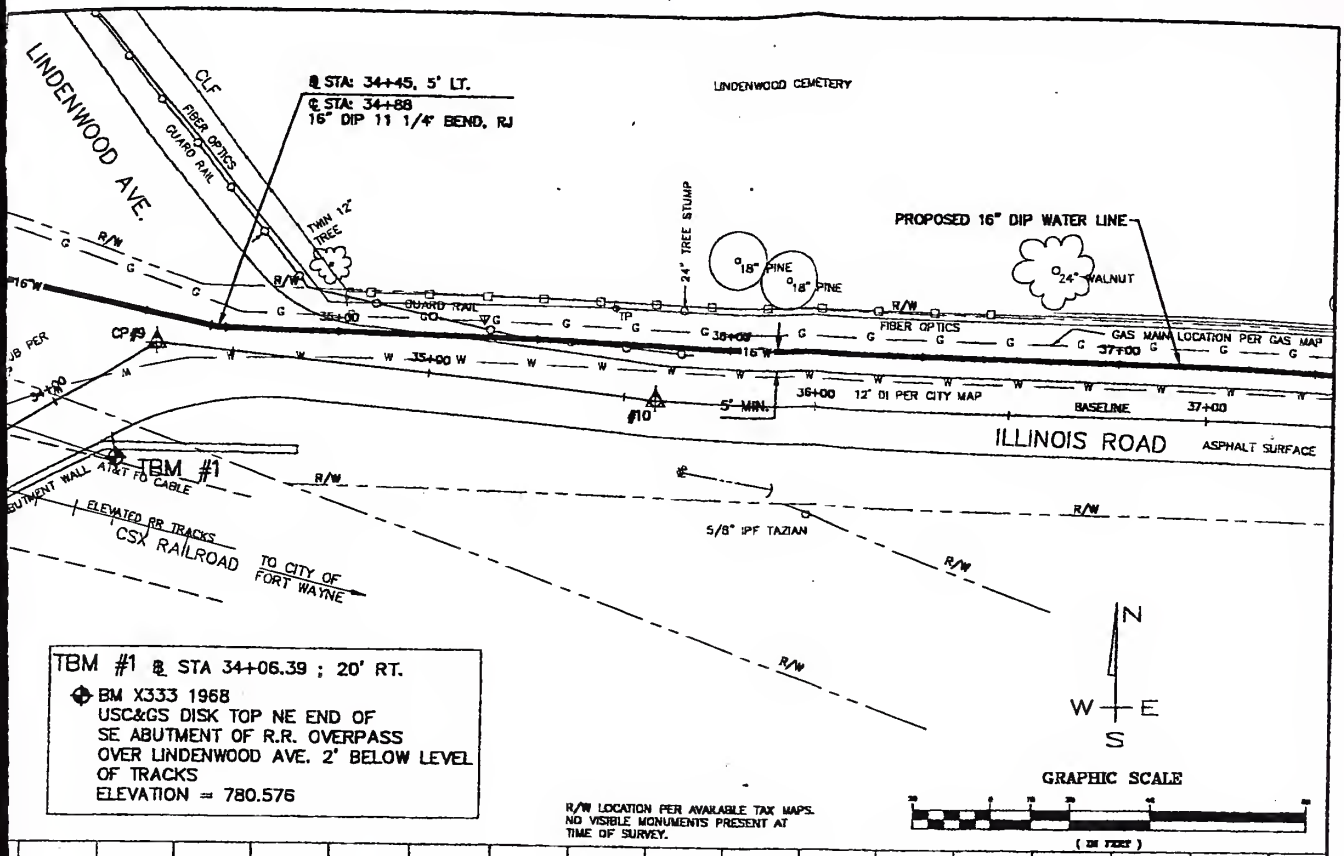
FORT WAYNE CITY UTILITIES

WATER RESOURCES DEPARTMENT
ROOM 480 CITY COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IN. 46802

DWG. # RRR-037992

MAIN/LEESBURG FEEDER MAIN

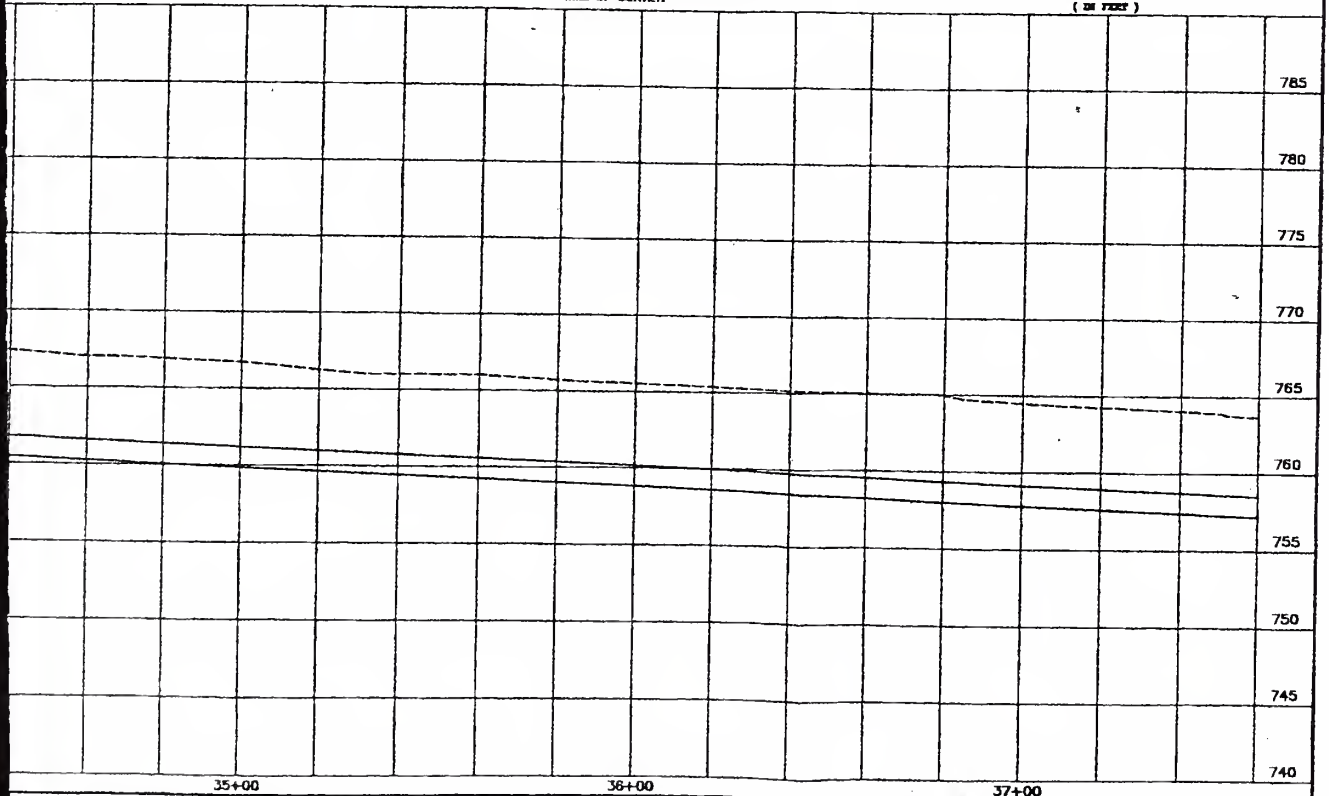
SURVEYED BY: DIEKMEYER & ASSOCIATES	FIELD BK. NO.	
DRAWN BY: MJC	W.O. NO.	DATE: 01/31/00
DESIGNED BY: MPH	RES. NO.	SCALE: 1"=50'
CHECKED BY: MPH	DWG. NO.	
APPROVED BY: LFA		Sheet 1 of 1



TBM #1 ℄ STA 34+06.39 ; 20' RT.
BM X333 1968
USC&GS DISK TOP NE END OF
SE ABUTMENT OF R.R. OVERPASS
OVER LINDENWOOD AVE. 2' BELOW LEVEL
OF TRACKS
ELEVATION = 780.576

R/W LOCATION PER AVAILABLE TAX MAPS.
NO VISIBLE MONUMENTS PRESENT AT
TIME OF SURVEY.

GRAPHIC SCALE
(IN FEET)



BURGESS & NIPLE
201 NORTH ILLINOIS STREET
CAPITAL CENTER SUITE 2250
INDIANAPOLIS, INDIANA

FORT WAYNE CITY UTILITIES
WATER RESOURCES DEPARTMENT
ROOM 480 CITY COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IN. 46802

DWG. # RRX-037992
MAIN/LEESBURG FEEDER MAIN

SURVEYED BY: DICKMEYER & ASSOCIATES	FIELD BK. NO.	
DRAWN BY: MJC	W.O. NO.	DATE: 01/31/00
DESIGNED BY: MPH	RES. NO.	SCALE: 1"=50'
CHECKED BY: MPH	DWG. NO.	
APPROVED BY: LFA		Sheet 1 of 1

EXHIBIT B

Form CSX-5867-A
February 1998 ø

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT, Made as of January 10, 2002, by and between CSX TRANSPORTATION, INC., a Virginia corporation, as Operator for New York Central Lines LLC, a Delaware limited liability company, a wholly-owned subsidiary of Consolidated Rail Corporation, a Pennsylvania corporation, hereinafter, jointly called "Licensor," and CITY OF FORT WAYNE, a municipal corporation, political subdivision or state agency, under the laws of the State of Indiana, whose mailing address is One Main Street, Fort Wayne, Indiana 46802, hereinafter called "Licensee," WITNESSETH:

WHEREAS, certain Agreement(s), hereinafter referred to as "Agreement(s)," listed on Exhibit "A," attached hereto and made a part hereof, was/were entered into between Licensor (or predecessor of Licensor) and Licensee (or predecessor of Licensee), covering Licensee's use and operation of certain pipeline and wireline encroachment(s) along, across, over or under Railroad right-of-way/property at location(s) listed on Exhibit "A," dated January 10, 2002; and

WHEREAS, Licensor and Licensee have agreed to a lump sum payment, in lieu of the annual license fee(s) provided for in said Agreement(s);

NOW, THEREFORE, it is mutually agreed that said Agreement(s) is/are hereby amended as follows:

A. Licensor and Licensee agree that the fee(s) set forth in said Agreement(s) shall be revised as on Exhibit "A," to provide for one-time lump sum license fee(s) payable in U.S. dollars, in lieu of any further periodic fees or rental or any right to increase same. Licensee agrees that the License Fee applies only to the original Licensee under this Agreement. In the event of a successor (by merger, consolidation, reorganization and/or assignment) or if the original Licensee changes its name, then Licensee shall be subject to payment of Licensor's current administrative and document preparation fees for the cost incurred by Licensor in preparing and maintaining this Agreement on a current basis.

B. In the event of sale or other conveyance by Licensor of all or a portion of its Right-of-Way, along, across, under or over which Licensee has constructed any facilities under such Agreement(s), such conveyance(s) shall be made expressly subject to the right of Licensee to continue to occupy the crossing(s) on the specific segment of Right-of-Way, and to operate, maintain, repair, renew and to remove such crossing(s) and facilities.

C. Licensee acknowledges that Licensor's title to any right-of-way or crossing(s) varies in degrees of estate, such that: Licensor does not, and shall not, make any warranty, representation or guarantee of its title or of Licensee's right to retain its facilities in place for any length of term.

D. Except as herein provided, said Agreement(s) shall remain in full force and effect in accordance with all other terms thereof.

IN WITNESS WHEREOF, the parties hereto have caused this Supplemental Agreement to be duly signed, sealed and delivered, in duplicate, effective the day and year first above written.

Witness for Licensor:

_____

CSX TRANSPORTATION, INC.

By: _____

Print/Type Name: _____

Print/Type Title: _____

Witness for Licensee:

_____

CITY OF FORT WAYNE

By: _____

Who, by the execution hereof, affirms that he/she has the authority to do so and to bind the Licensee to the terms and conditions of this Agreement.

Print/Type Name: _____

Print/Type Title: _____

Tax Identification Number: _____

Authority under Ordinance or
Resolution No._____,
dated _____.

CONTRACT #	CONTRACT DATE	COUNTY	CITY	ST	MILE POST	VAL STATION	CARRIER SIZE	TYPE	LUMP SUM FEE
CR 291387	1988-04-20	ADAMS	ADAMS	IN	QF 351.1	16669+57	16	PIWAX	$ 3,800.00
NYC037992	2000-02-28	ALLEN	FORT WAYNE	IN	QF 321.88	17029+80	16.72	PIWAX	$ 3,971.19
								TOTAL	$ 7,771.19

IMPROVEMENT RESOLUTION NO. 6870-02
CAPITOL AVENUE: WOODSDALE LANE TO MAPLE GROVE AVENUE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **CAPITOL AVENUE FROM WOODSDALE LANE TO MAPLE GROVE AVENUE BY RECONSTRUCTING CURB, RESURFACING ROADWAY, WHICH INCLUDES: PAVEMENT PATCHING, WEDGE / LEVEL COURSE, BITUMINOUS SURFACE OVERLAY, RECONSTRUCT DRIVE APPROACHES, REHABILITATE STORM SEWER STRUCTURES / SYSTEM, TOPSOIL, MULCHED SEEDING RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 13 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: CAPITOL AVENUE
WOODSDALE LN. TO MAPLE GROVE AVE.

RES. NO.: 6870-02

B.O. NO.: 283-01

DATE: 3/12/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	5000.00	5000.00
2.	Surface Milling, Bituminous	400	SY	2.50	1000.00
3.	Removal of Concrete	450	SY	6.50	2925.00
4.	Removal of Curb	3720	LF	2.75	10230.00
5.	Bed Course Material	60	TN	9.00	540.00
6.	Backfill Behind Curb	250	TN	10.00	2500.00
7.	Type "O" Compacted Aggregate for Base, No.53	375	TN	11.00	4125.00
8.	Concrete Curb Type I-B	3720	LF	12.75	47430.00
9.	Concrete Pavement for Residential Drive	490	SY	30.00	14700.00
10.	Concrete Sidewalk, "Undistributed"	50	SY	32.50	1625.00
11.	Concrete Steps, "Undistributed"	1	CY	600.00	600.00
12.	Bituminous Material for Tack Coat @ 0.06 Gal / SY	2	TN	350.00	700.00
13.	Bituminous Binder, No. 8 or 9 HAC, LV	45	TN	50.00	2250.00
14.	Bituminous Surface, No. 12 HAC, LV	362	TN	34.00	12308.00
15.	Widening with Bituminous Base, 5D HAC, LV	160	TN	12.00	1920.00
16.	Bituminous Wedge / Level Course, Binder, No. 8 or 9 HAC	380	TN	28.50	10830.00
17.	Bituminous Mixture for Approaches	30	TN	60.00	1800.00
18.	Bituminous Mixture for Patching, Base, 5D HAC	125	TN	38.00	4750.00
19.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	3725	LF	7.75	28868.75
20.	Pipe, RCP, Class IV, 12" (Complete-In-Place)	45	LF	60.00	2700.00
21.	Inlet, Type I-C	4	EA	1250.00	5000.00
22.	Catch Basin, Type I-C (If - Ordered)	1	EA	2500.00	2500.00
23.	Casting, Type A, Furnished & Adjusted to Grade	5	EA	340.00	1700.00
24.	Casting, Type C, Furnished & Adjusted to Grade	2	EA	350.00	700.00
25.	Casting, Type D, Furnished & Adjusted to Grade	4	EA	340.00	1360.00
26.	Class A Concrete for Structures	1	CY	500.00	500.00

27.	Construction Signs, Type A With Construction Warning Light Type A	2	EA	100.00	200.00
28.	Water Valves (Curb-Box) Adjusted to Grade	40	EA	45.00	1800.00
29.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	5	EA	100.00	500.00
30.	Water Valves (Valve-Box) Adjusted to Grade	7	EA	85.00	595.00
31.	Water Valves (Valve-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	2	EA	150.00	300.00
32.	Tree, Fertilize	37	EA	42.00	1554.00
33.	Top Soil	125	TN	15.00	1875.00
34.	Mulched Seeding	2450	SY	1.00	2450.00
35.	Maintenance Of Traffic	1	LS	1500.00	1500.00

SUB-TOTAL:	179335.75
E&I @16%	28693.72
TOTAL:	**$208,029.47**

IMPROVEMENT RESOLUTION NO. 6861-02
MELROSE AVENUE: EDITH AVENUE TO POINSETTE DRIVE
(1400 AND 1500 BLOCK)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
MELROSE AVENUE FROM EDITH AVENUE TO POINSETTE DRIVE BY RECONSTRUCTING THE SIDEWALK, YARDWALK, DRIVEWAY, CURB, RESURFACING, MULCH SEEDING AND OTHER RELATED ROADWAY WORK.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 13 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: MELROSE from Edith Ave to Poinsette Drive **RES. NO.: 6861 - 02**

BID DATE: **B.O. NO.: 187-01**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CURB	1,575	LF	$4.25	$6,693.75
2.	REMOVAL OF CONCRETE	747	SY	$5.00	$3,735.00
3.	REMOVAL OF PAVEMENT	380	SY	$6.00	$2,280.00
4.	SURFACE MILLING	1,900	SY	$3.00	$5,700.00
5.	CONCRETE SIDEWALK (4")	747	SY	$25.00	$18,675.00
6.	CONCRETE CURB TYPE " II - B "	1,575	LF	$14.50	$22,837.50
7.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE (6 ")	380	SY	$27.00	$10,260.00
8.	BITUMINOUS SURFACE # 12 HAC MV	156	TONS	$38.00	$5,928.00
9.	BITUMINOUS BINDER # 8 OR 9 HAC MV	210	TONS	$35.00	$7,350.00
10.	BITUMINOUS MATERIAL FOR TACK COAT	1	TONS	$150.00	$150.00
11.	TOP SOIL	80	TONS	$15.00	$1,200.00
12.	FERTILIZE TREES	14	EA	$45.00	$630.00
13.	MULCHED SEEDING	1,050	SY	$1.50	$1,575.00
14.	BACKFILL BEHIND CURB	100	TONS	$10.00	$1,000.00
15.	WATER VALVES (curb box) ADJUSTED TO GRADE	25	EA	$45.00	$1,125.00
16.	BED COURSE MATERIAL	180	TONS	$10.00	$1,800.00
17	TYPE " O " COMPACTED AGGREGATE FOR BASE	40	TONS	$14.00	$560.00
18	CONSTRUCTION SIGNS TYPE " A "	6	EA	$95.00	$570.00
19	STANDARD BARRICADE TYPE III	4	EA	$75.00	$300.00
20	MAINTENANCE OF TRAFFIC	1	LS	$3,500.00	$3,500.00
21	MOBILIZATION and DEMOBILIZATION	1	LS	$4,200.00	$4,200.00

SUB-TOTAL:	$100,069.25
E&I @16%	16,011.08
TOTAL:	**$116,080.33**

IMPROVEMENT RESOLUTION NO. 6833-02

RESURFACING PACKAGE A - 2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

DOUGLAS AVENUE: LAFAYETTE STREET TO HANNA STREET
DOUGLAS AVENUE: HARRISON STREET TO CALHOUN STREET
BRACKENRIDGE STREET: FAIRFIELD AVENUE TO CALHOUN STREET
BAKER STREET: FAIRFIELD AVENUE TO CALHOUN STREET
FAIRFIELD AVENUE: BAKER STREET TO JEFFERSON BOULEVARD
CALHOUN STREET: BAKER STREET TO BRACKENRIDGE STREET
HARRISON STREET, SOUTH: DEWALD STREET TO JEFFERSON BOULEVARD
LINDENWOOD AVENUE: SPRING STREET TO STATE BOULEVARD
STATE BOULEVARD, EAST: SANTA ROSA DRIVE TO WHITE OAK AVENUE
VAN BUREN STREET: SUPERIOR STREET TO BURGESS STREET
ANTHONY BOULEVARD, NORTH: MAUMEE RIVER BRIDGE TO LAKE AVENUE
ANTHONY BOULEVARD, SOUTH: PONTIAC STREET TO MAUMEE AVENUE
OXFORD STREET: HANNA STREET TO ANTHONY BOULEVARD

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Lin Wilson, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6863-02
RESURFACING PACKAGE 1 - 2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **THE FOLLOWING STREETS BY MILLING AND/OR RESURFACING THE ROADWAY IN COUNCILMANIC DISTRICTS 4 AND 6.**

DISTRICT 4
BELLE VISTA BLVD: ALLENDALE TO FAIRFIELD DITCH
DEGROFF ST: POLK TO HIGH
DEGROFF ST: BURGESS TO POLK
EBY AVE: N&W R/R TO PAUL
EBY AVE: PAUL TO BEVEL
EBY AVE: COZY TO BROOKLYN
EBY AVE: BEVEL TO COZY
IDA AVE: TYLER TO HUFFMAN
MARK DR: SANDHILL TO ENGLE
NORTH HIGHLANDS BLVD: STATE TO PURDUE
NORTH HIGHLANDS BLVD: PURDUE TO TRINITY
OSAGE ST: POLK TO HOWELL
OSAGE ST: HOWELL TO HIGH
OSAGE ST: RICHARDSON TO POLK
PURDUE DR: TYLER TO PRINCETON
PURDUE DR: PRINCETON TO NORTH HIGHLANDS
RICHARDSON ST: RUMSEY TO OSAGE
RICHARDSON ST: RUNNION TO RUMSEY
STANFORD AVE: PURDUE TO TRINITY
WAWONAISSA TR: NOKOMIS TO MANITO
WAWONAISSA TR: OWAISSA TO NOKOMIS
CLOVER LA: RUMSEY TO NORTH HIGHLANDS

DISTRICT 6
BOWSER AVE: ECKART TO DREXEL
BOWSER AVE: COLERICK TO ECKART
BOWSER AVE: OXFORD TO DREXEL
CAPITOL AVE: SMITH TO OLIVER
CAPITOL AVE: GAYWOOD TO SMITH
CAPITOL AVE: OLIVER TO BOWSER
DECATUR RD: WOODSIDE TO SEDDLEMEYER
DECATUR RD: SEDDLEMEYER TO SYLVIA
DECATUR RD: SYLVIA TO HOLTON

DECATUR RD: HOLTON TO GARDENDALE
DECATUR RD: GARDENDALE TO DECATUR
DECATUR RD: DAWNAN TO GABLE
DECATUR RD: GABLE TO HYSTONE
DECATUR RD: HYSTONE TO FARWOOD
DECATUR RD: FARWOOD TO VENTURA
DECATUR RD: VENTRUA TO PAULDING
ECKART ST: OLIVER TO BOWSER
ECKART ST: BOWSER TO BOWSER
ECKART ST: ROBINWOOD TO HOLTON
ECART ST: HOLTON TO REED
ECKART ST: REED TO WINTER
ECKART ST: SMITH TO OLIVER
ECART ST: BOWSER TO ROBINWOOD
FAIRFAX AVE: GAYWOOD TO SMITH
HOLTON AVE: FAIRFAX TO PETTIT
LILLIE ST: COLERICK TO ECKART
LILLIE ST: ECKART TO DREXEL
LILLIE ST: DREXEL TO OXFORD
LILLIE ST: PONTIAC TO COLERICK
MAPLE GROVE AVE: OLIVER TO SMITH
MAPLE GROVE AVE: SMITH TO GAYWOOD
MT VERNON PK: ROOSEVELT TO BOWSER
OLIVER ST: SMITH TO PETTIT
OLIVER ST: MCKEE TO COLERICK
OLIVER ST: HAMILTON TO OXFORD
OLIVER ST: GRIER TO HAMILTON
OLIVER ST: RUDISILL TO GRIER
PETTIT: SMITH TO OLIVER
PETTIT: OLIVER TO BOWSER
PRISCILLA LN: MARCY TO MCMILLIAN
RADCLIFFE DR: PALISADE TO SHADY OAK
REED ST: MCKINNIE TO BAXTER
REED ST: BAXTER TO RUDISILL
ROOSEVELT DR: SMITH TO MT VERNON PK
WOODVIEW BLVD: HANNA TO GAYWOOD
WOODVIEW BLVD: GAYWOOD TO SMITH

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 13 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: RESURFACING PKG. #1-2002

RES. NO.: 6863-02

B.O. NO.: 175-01

DATE: 3/2/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization and Demobilization	1	LS	15000.00	15000.00
2.	Suface Milling, Bituminous	8500	SY	2.25	19125.00
3.	Type "O" Compacted Aggregate for Shoulder, No.53	2500	TN	13.50	33750.00
4.	Bituminous Material for Tack Coat	38	TN	180.00	6840.00
5.	Bituminous Base, No. 5D, HMA (Widening)	1552	TN	32.00	49664.00
6.	Bituminous Binder, No. 9, HMA	170	TN	30.00	5100.00
7.	Bituminous Binder, No. 11, HMA	1880	TN	30.00	56400.00
8.	Bituminous Surface, No. 11, HMA	4327	TN	29.00	125483.00
9.	Bituminous Surface, No. 12, HMA	1965	TN	30.50	59932.50
10.	Bituminous Mix for Patching	200	TN	55.00	11000.00
11.	Bituminous Mix for Approaches	379	TN	45.00	17055.00
12.	Bituminous Mix for Wedge and Level	2715	TN	31.50	85522.50
13.	Crack and Joint Sealer	55	TN	525.00	28875.00
14.	Water, Valve-Box, Adjusted to Grade	40	EA	45.00	1800.00
16.	Water, Valve-Box, Furnished & Adjusted to Grade (Undistributed Quantity)	6	EA	125.00	750.00
17.	Casting Type "A" Furnished & Adjusted to Grade	94	EA	365.00	34310.00
18.	Temporary Pavement Marking, I, Yellow, 4 in.	450	LF	0.60	270.00
19.	Line, Paint, Solid White 6"	11000	LF	0.10	1100.00
20.	Line, Paint, Solid Yellow 6"	4000	LF	0.10	400.00
21.	Line, Paint, Skip Yellow 6"	650	LF	0.10	65.00
22.	Borrow / Fill (Decatur Road Only)	1250	TN	6.00	7500.00
23.	Top Soil (Decatur Road Only)	620	TN	13.50	8370.00
24.	Mulched Seeding (Decatur Road Only)	7650	SY	0.60	4590.00
25.	Maintenance of Traffic	1	LS	25000.00	25000.00

SUB-TOTAL: 597902.00

E&I @16% 95664.32

TOTAL: $693,566.32

SANITARY SEWER IMPROVEMEMTS
INDEPENDENCE DRIVE INTERCEPTOR
RESOLUTION NO. 670-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 3,600 LF of 15" sanitary sewer interceptor along Washington Township Natural Drain #6 from Sheafer Avenue to Independence Drive.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Sanitary Sewer Improvements, Independence Drive Interceptor."

Declares the cost of the said improvements shall be paid by the funds from the WPC Utility Revenues and CEDIT Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States the maximum proposed cost with the purchase of any land associated with this project is $148,100.

Declares the engineer's estimate of the project's total cost is $545,723.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 13 DAY OF March, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Lin Wilson, Member

ATTEST: _____
Carolyn S. Newport, Clerk

EXHIBIT "A"

PROPERTY ACQUISITION SUMMARY

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBER	SOURCE OF TITLE DEED RECORD NUMBER	SEWER AND DRAINAGE EASEMENT	TEMPORARY CONSTRUCTION EASEMENT	REMARKS	EASEMENT DOCUMENT NUMBER
1	Netterfield, Charles A.		1&2	Deed Document # 86-21894	16,297 sf	26,033 sf	Appraised value $42,461	
2	Meggison, F. James		1&2	Deed Document # 84-10147	11,400 sf	18,600 sf	Appraised value $5,200	
3	Conti, James		2	Deed Document # 95-33406	10,868 sf	15,186 sf	Appraised value $9,686	
4	Department of Housing & Neighborhood Development Services, Inc.		2	Deed Document # 98-14242			Easement donated	
5	Wilson, Stella M.		2	Deed Document # 80-10795	4,761 sf	7,563 sf	Appraised value $8,746	
6	Charland, Tammy S.		2&3	(Deed Document # 90059695)	14,330 sf	21,487 sf	Appraised value $26,395	
7	Peg Perego USA, Inc.		3	(Deed Document # 990047372)	14,050 sf	13,294 sf	Appraised value $15,750	
8	Isaac Tire, Inc.		3	Deed Document # 90-016142	6,618 sf	2,299 sf	Appraised value $9,699	

IMPROVEMENT RESOLUTION NO. 6848-02
NORTH HARRISON STREET: THIRD ST. TO SIXTH ST.

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **NORTH HARRISON ST. FROM THIRD ST. TO SIXTH ST. BY RECONSTRUCTION OF CONCRETE CURBS, SIDEWALKS, DRIVE APPROACHES, YARDWALKS, NEW ADA CURB RAMPS, REHABILITATE STORM SEWER STRUCTURES AND MULCHED SEEDING RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 13 day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: **NORTH HARRISON ST. - THIRD ST. TO SIXTH ST.** RES. NO.: 6848-02

DATE: 3-6-2002 B.O. 185-01

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE	1435	SY	$5.50	$7,892.50
2.	REMOVAL OF CURB	2125	LF	$3.50	$7,437.50
3.	REMOVAL OF PAVEMENT	230	SY	$4.50	$1,035.00
4.	CONCRETE SIDEWALK (4")	975	SY	$20.50	$19,987.50
5.	CONCRETE CURBFACE WALK (6")	60	SY	$24.00	$1,440.00
6.	CONCRETE CURB TYPE III	1690	LF	$11.00	$18,590.00
7.	CONCRETE WINGWALK AND RAMPS	251	SY	$30.00	$7,530.00
8.	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE (6")	96	SY	$26.00	$2,496.00
9.	CONCRETE PAVEMENT FOR ALLEY (8")	35	SY	$28.50	$997.50
10.	CEMENT CONCRETE PAVEMENT, PLAIN 6", (2' RECESSED)	230	SY	$18.00	$4,140.00
11.	BITUMINOUS MATERIAL FOR PATCHING	26	TON	$42.00	$1,092.00
12.	BACKFILL BEHIND CURBS	118	TON	$3.00	$354.00
13.	SERVICE CURB BOX (TOP SECTION W/LID)	5	EA	$35.00	$175.00
14.	SERVICE CURB BOX (ADJUST TO GRADE)	26	EA	$18.00	$468.00
15.	BED COURSE MATERIAL	285	TON	$8.00	$2,280.00
16.	CASTING (ADJUST TO GRADE)	12	EA	$85.00	$1,020.00
17.	TOP SOIL	140	TON	$10.00	$1,400.00
18.	MULCHED SEEDING RESTORATION	1150	SY	$1.00	$1,150.00
19.	TREE FERTILIZATION	11	EA	$17.00	$187.00
20.	CONSTRUCTION SIGNS TYPE "A"	10	EA	$55.00	$550.00
21.	PLASTIC DRUMS WITH FLASHERS	48	EA	$19.00	$912.00
22.	MAINTENANCE OF TRAFFIC	1	LS	$1,800.00	$1,800.00
23.	MOBILIZATION AND DE-MOBILIZATION	1	LS	$1,100.00	$1,100.00

SUB-TOTAL: $84,034.00

E&I @16% $13,445.44

TOTAL: $97,479.44

JOINT RESOLUTION APPROVING TRANSFER OF RESPONSIBILITIES UNDER "TAXICAB ORDINANCE" CHAPTER 116 OF MUNICIPAL CODE, TO THE BOARD OF PUBLIC SAFETY FROM THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA

Whereas, the City of Fort Wayne has a program that regulates the business of taxicabs within the City limits of Fort Wayne;

Whereas, the regulation of taxicabs within the City limits of Fort Wayne has and continues to be beneficial to the general public;

Whereas, the regulatory program is governed by City of Fort Wayne Municipal Ordinance §116 as amended in 1990 (hereinafter "Ordiance");

Whereas, said Ordinance specifically grants the City of Fort Wayne Board of Public Safety with all necessary power and authority for the effective and proper administration of said Ordinance;

Whereas, the City of Fort Wayne Board of Public Works heretofore has administered said Ordinance; and

Whereas, it is agreed that the oversight and administration of this Ordinance shall be with the City of Fort Wayne Board of Public Safety.

BE IT RESOLVED jointly by the City of Fort Wayne Board of Public Works and the City of Fort Wayne Board of Public Safety that:

1) The Board of Public Works hereby releases responsibility to the Board of Public Safety for administration, enforcement and all necessary actions relating to the Ordinance;

2) The Board of Public Safety hereby accepts all responsibility from the Board of Public Works for the administration, enforcement and all necessary action relating to the Ordinance;

3) The Board of Public Works instructs all staff to assist in the transfer of files, schedule of fees, inspections, etc. to the appropriate offices and points of contact within the Board of Public Safety;

4) The Board of Public Safety instructs the Chief of the Fire Department to provide all necessary space and staffing for the receipt of administrative documents and responsibilities and further instructs such staff to promptly work with Board of Works staff with respect to transfer of said responsibilities;

5) The Board of Public Safety further instructs that all requests for license or permit approvals be evaluated by such staff as the Chief of the Fire Department selects; and that such requests be submitted to the Board of Public Safety at its monthly meetings with recommendation for approval or disapproval;

6) The Board of Public Safety further instructs that all disciplinary/enforcement matters be handled by the staff selected by the Chief of the Fire Department in accordance with the Ordinance; and that where Board of Public Safety action is required, such matters be placed on meeting agenda for the Board's monthly meeting, and that notice and recommendations be given to the Board for action at said meeting; and

7) The Board of Public Safety and the Board of Public Works are to take any and all other necessary action to effect the intent and purpose of this Resolution.

This Resolution will become effective upon signature of all parties.

Approved this 27th day of March, 2002

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

Attest: Carolyn S. Newport, Clerk

Approved this 27th day of March, 2002

CITY OF FORT WAYNE
BOARD OF PUBLIC SAFETY

Dr. Jeffrey Towles, Chairman

Sharon Peters, Director

Robert Hollo, Director

Attest: Marianne Shafer,
Secretary Board of Safety

Document Prepared by: James T. Howard, Associate City Attorney, City of Fort Wayne, Indiana

IMPROVEMENT RESOLUTION NO. 6872-02
TREVERTON DRIVE (7221 – 7209)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
TREVERTON DRIVE (7221-7209) BY RECONSTRUCTION OF ROADWAY, I.E. CEMENT CONCRETE PAVEMENT PATCHING; WHICH INCLUDES: PAVEMENT RESTORATION, INCLUDING INTEGRAL CURBS, UNDERDRAIN, RECONSTRUCT AFFECTED DRIVEWAY APPROACHES, REHABILITATE STORM SEWER STRUCTURES, MULCHED SEEDING RESTORATION. ALL IN ACCORDANCE WITH THE PROFILE, DETAILS, DRAWINGS, AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF SAID CITY; AND SUCH IMPROVEMENT IS NOW ORDERED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 27th day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

RESOLUTION
FOR
BOARD OF PUBLIC WORKS

WHEREAS, City of Fort Wayne hereby request that we convey the following described real estate parcels and property to The Board of Commissioner of the County of Allen, for use by Allen County Community Corrections, owned by the City of Fort Wayne, which real estate is described as Lots number 4 and 5 in Winter's Addition (Key #9343175004) commonly known as 2518 Winter Street; and,

WHEREAS, the Board of Public Works of the City of Fort Wayne has determined that the City of Fort Wayne has no present use for this property, and that future use by the city is unlikely, (see attached Letter of Intent).

NOW THEREFORE, BE IT RESOLVED, that real estate described as follows: Lots number 4 and 5 in Winter's Addition to the City of Fort Wayne (Key #9343175004), commonly known as 2518 Winter Street which real estate is located in Allen County, Indiana, and is currently owned by the City of Fort Wayne, is not needed or necessary to the operations of the City of Fort Wayne and hereby recommends it be conveyed to The Board of Commissioner of the County of Allen, for use by Allen County Community Corrections for their Reseeding Project.

BE IT FURTHER RESOLVED that, in recognition of the Allen County Reseeding Project, Inc., the City of Fort Wayne, does hereby deed said real estate to The Board of Commissioner of the County of Allen, for use by Allen County Community Corrections in anticipation of its transfer to the Allen County Reseeding Project, Inc.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to convey the above-mentioned property.

Signed this 27th day of March, 2002.

FORT WAYNE BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST:

Carolyn S. Newport, Clerk
Fort Wayne Board of Public Works

Letter of Intent – Project Description

Allen County Reseeding Project, Inc.

A Joint Venture Between Community Harvest Food Bank and Allen County Community Corrections

Lead Party
Allen County Community Corrections (ACCC)
201 W. Superior Street
Fort Wayne, IN 46802
www.allencountycorrections.com

Secondary Party
Community Harvest Food Bank (CHFB)
999 East Tillman Road
Fort Wayne, IN 46855
www.communityharvest.org

Non-Profit and Incorporation Status:
Allen County Reseeding Project, Inc. (ACRP) was duly organized and existed in December, 2001 as a 501(c)(3) undersigned by its Board of the Directors, the Allen County Board of Commissioners.

Contact Person:
Anthony Hudson
Allen County Community Corrections
Marketing and Training Coordinator
anthony.hudson@co.allen.in.us
(260) 449 - 4539

Secondary Contact Person:
Bill Hoover
Community Harvest Food Bank
Director of Operations
(260) 447 - 3696

Project Description
Title: **Allen County Reseeding Project, Inc.**

The parties listed above desire that all assets and property of the Fire Station No. 9 located on 2518 Winter Street are deeded to the County of Allen from the City of Fort Wayne. The County of Allen plans to then give the assets and property to the Allen County Reseeding Project, Inc.

The Community Harvest Food Bank wishes to reach the under-served Southeast Quadrant of Fort Wayne by providing a pantry open to those in need seven days a week. Surpassing the voucher system of its constituents, the CHFB will feed the hungry and deprived without stipulation. Tentatively, the groups of people shall include the homeless, veterans, elderly, working poor and the offenders under community supervision and their families. Bulk packaged food would be repackaged and distributed

in family sizes, under the safe handling practices of America's Second Harvest and the Board of Health.

The Allen County Reseeding Project, Inc. will initiate its role in the neighborhood restoration of the Hanna – Creighton neighborhood by managing the Fire Station No. 9 and the food pantry. The Community Harvest Food Bank will supply the food while ACCC staff and offenders operate the distribution, canning, and storage of all food items.

Allen County Community Corrections intends to become an anchor in the Southeast region of Fort Wayne, helping to reduce crime and hopelessness through its efforts. The program recently was granted Official Recognition through the Executive Office of Weed and Seed, U.S. Department of Justice. Through this effort, Allen County Community Corrections will receive technical, as well as monetary assistance, from the federal government in the areas of Law Enforcement, Community Policing, Neighborhood Restoration, and Prevention, Intervention and Treatment, to the residents of the Southeast region in Fort Wayne.

Community Harvest Food Bank has offered to train the offenders who are participating in the Employment and Training division of the Allen County Reseeding Project, the Allen County Employment Services (ACES). The training will consist of canning, refrigeration, warehousing, and retail services. It will supplement a 40-hour academy that prepares offenders for job searching and retention skills. The proposed location for the academy and training is also the Fire Station No. 9.

Another Community Partner, Hilgers Farm Market is committed to designating a plot of land for the ACCC offenders to harvest. The food harvested will be distributed through the Fire Station No. 9. John Hilger is recruiting any other interested farmer to donate land to assist his effort.

IMPROVEMENT RESOLUTION NO. 6873-02
TRIER RIDGE PARK: DEBENEY DRIVE AND VERONA DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
DEBENY DRIVE, AND VERONA DRIVE BY RECONDITIONING OF ROADWAY, MILLING OF EXISTING PAVEMENT, RESURFACING, AND TOTAL CURB REPLACEMENT; WHICH INCLUDES: SCARIFICATION / COMPACTION OF EXISTING , AND PROPOSED ROADWAY BASE MATERIALS, CONSTRUCTION OF UNDERDRAIN, RECONSTRUCT AFFECTED RESIDENTIAL DRIVE APPROACHES, REHABILITATE STORM SEWER STRUCTURES, MULCHED SEEDING RESTORATION. ALL IN ACCORDANCE WITH THE PROFILE, DETAILS, DRAWINGS, AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF SAID CITY; AND SUCH IMPROVEMENT IS NOW ORDERED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 22nd day of May, 20__.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6874-02
COLONIAL HERITAGE ADDITION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
COLONIAL HERITAGE ADDITION - STREETS: SHERRILL DRIVE FROM LARKWOOD LANE TO YORKSHIRE DRIVE, AND THE 5200 BLOCK OF CLOVERBROOK DRIVE BY RECONSTRUCTION OF ROADWAY, I.E. CEMENT CONCRETE PAVEMENT PATCHING; WHICH INCLUDES: PAVEMENT RESTORATION, INCLUDING INTEGRAL CURBS, CONSTRUCTION OF UNDERDRAIN, RECONSTRUCT AFFECTED RESIDENTIAL DRIVE APPROACHES, REHABILITATE STORM SEWER STRUCTURES, MULCHED SEEDING RESTORATION. ALL IN ACCORDANCE WITH THE PROFILE, DETAILS, DRAWINGS, AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF SAID CITY; AND SUCH IMPROVEMENT IS NOW ORDERED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 21st day of March, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Lin Wilson
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: Colonial Hertiage Addition
(Concrete Pavement Restoration)

RES. NO.: 6874-02

B.O. NO.: 260-01
265-01

DATE: 3/21/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	2000.00	2000.00
2.	Removal of Concrete	185	SY	6.00	1110.00
3.	Patching, Full Depth, Plain Concrete Pavement (6")	2138	SY	25.50	54519.00
4.	Anchor Bolts	132	EA	8.50	1122.00
5.	Concrete Wingwalk & Ramps (6")	135	SY	28.00	3780.00
6.	Concrete Pavement for Residential Drive (6")	80	SY	28.00	2240.00
7.	Type "O" Compacted Aggregate for Base, No.53	525	TN	11.50	6037.50
8.	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	450	LF	6.50	2925.00
9.	Expansion Joint with Load Transfer, One (1) inche(s)	189	LF	12.00	2268.00
10.	Casting, Type D, Furnished & Adjusted to Grade (If - Ordered)	1	EA	400.00	400.00
11.	Water Valves (Curb-Box) Adjusted to Grade	12	EA	35.00	420.00
12.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	1	EA	80.00	80.00
13.	Construction Signs, Type A With Construction Warning Light Type A	6	EA	80.00	480.00
14.	Standard Barricade, Type III-B With Signs, Type B Construction	10	EA	175.00	1750.00
15.	Backfill Behind Curb	145	TN	5.00	725.00
16.	Tree, Fertilize	24	EA	60.00	1440.00
17.	Top Soil	120	TN	12.50	1500.00
18.	Mulched Seeding,	845	SY	1.00	845.00
19.	Maintenance of Traffic	1	LS	500.00	500.00

SUB-TOTAL:	84141.50
E&I @16%	13462.64
TOTAL:	**$97,604.14**

BID

PROJECT: **Colonial Hertiage Addition**
(Concrete Pavement Restoration)

RES. NO.: 6874-02

B.O. NO.: 260-01
265-01

DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS		
2.	Removal of Concrete	185	SY		
3.	Patching, Full Depth, Plain Concrete Pavement (6")	2138	SY		
4.	Anchor Bolts	132	EA		
5.	Concrete Wingwalk & Ramps (6")	135	SY		
6.	Concrete Pavement for Residential Drive (6")	80	SY		
7.	Type "O" Compacted Aggregate for Base, No.53	525	TN		
8.	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	450	LF		
9.	Expansion Joint with Load Transfer, One (1) inche(s)	189	LF		
10.	Casting, Type D, Furnished & Adjusted to Grade (If - Ordered)	1	EA		
11.	Water Valves (Curb-Box) Adjusted to Grade	12	EA		
12.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	1	EA		
13.	Construction Signs, Type A With Construction Warning Light Type A	6	EA		
14.	Standard Barricade, Type III-B With Signs, Type B Construction	10	EA		
15.	Backfill Behind Curb	145	TN		
16.	Tree, Fertilize	24	EA		
17.	Top Soil	120	TN		
18.	Mulched Seeding,	845	SY		
19.	Maintenance of Traffic	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: Sept. 30, 2002
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 6871-02
LAKEWOOD DRIVE: DONNA DRIVE TO RESERVE LINE ROAD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BY RECONSTRUCTING THE EXISTING ROADWAY WITH NEW ASPHALT PAVEMENT, NEW CONCRETE CURBING AND DRIVE APPROACHES AS NEEDED, AND BY REHABILITATING THE EXISTING STORM SEWER STRUCTURES.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 27th day of March, 2007

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

~~Michele Hill~~ LIN WILSON
Member

Robert C. Crosby
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6877-02
CURB RAMP PACKAGE 2-2001

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BY ALTERING EXISTING AREAS, ELEMENTS & FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND RAMPS AT VARIOUS LOCATIONS IN THE CAMELOT ADDITION, BULLERMAN PARK FOREST ADDITION, OAKHURST ADDITION & THE WILLSHIRE ADDITION. ALSO THE INTERSECTIONS OF STATE & COLISEUM BLVD, TRIER & HOBSON & SANTA ROSA & CLARA AVENUE**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 27th day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Lin Wilson
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: Public Sidewalk Curbramps 2001, Pkg. II

RES. NO.: 6872-02

B.O. NO.: 239-00

BID DATE: 4/17/02

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	1,634	SY	$6.00	$9,804.00
2	Removal of Curb	1,699	LF	$5.00	$8,495.00
3	Concrete Wingwalk & Ramps (Asph. Patching included)	1,044	SY	$32.00	$33,408.00
4	Concrete Curb Type "III" (Asph. Patching included)	30	LF	$16.00	$480.00
5	Concrete Curb Type "I-B" (Asph. Patching included)	547	LF	$16.00	$8,752.00
6	Concrete Curb Type "II-A"	30	LF	$16.00	$480.00
7	Concrete Sidewalk(4")	438	SY	$24.00	$10,512.00
8	Mulched Seeding.	382	SY	$2.00	$764.00
9	Top Soil	79	TON	$14.00	$1,106.00
10	Adjust Casting to Grade	7	EA	$150.00	$1,050.00
11	Bed Course Material	76	TON	$12.00	$912.00
12	Backfill for Behind Curbs	15	TON	$10.00	$150.00
13	Casting Type "C" Required	20	EA	$400.00	$8,000.00
14	Adjust Water Curb Box to Grade	6	EA	$50.00	$300.00
15	Concrete/Asph. Pavement Repair	20	SY	$37.00	$740.00
16	Type "A" Signs	18	EA	$90.00	$1,620.00
17	Maint. Of Traffic	1	LS	$5,000.00	$5,000.00
18	Mobilization and Demobilization	1	LS	$5,000.00	$5,000.00
19	"V"-Lock for Street Sign	1	EA	$35.00	$35.00
20	"J" Bolts	32	EA	$36.00	$1,152.00
21	Concrete Curbface Walk	36	EA	$37.00	$1,332.00
22	Line, Thermoplastic, Solid White, 24 IN. Stop Bar	45	LF	$4.00	$180.00
23	(Remove) Line, Thermoplastic, Solid White, 24 IN. Stop Bar	45	LF	$2.00	$90.00
24	Line, Thermoplastic, Broken White, 6 IN.	20	LF	$2.00	$40.00
25	(Remove) Line, Thermoplastic, Broken White, 6 IN.	20	LF	$1.00	$20.00
26	Cement Concrete Pavement, Plain, 6"	117	SY	$32.00	$3,744.00

SUB-TOTAL:	$103,166.00
E&I @16%	16,506.56
TOTAL:	**$119,672.56**

RESOLUTION NO. 89-103-27

POLICY CONCERNING COST OF BUILDING SEWER OR TAP REPAIR

WHEREAS, private building sewers, including the tap to the public sewer main, are the responsibility of the owner of the property served to maintain and repair; and

WHEREAS, a broken building sewer or tap may cause damage to the public sewer system or to a street, alley or other surface improvement in the public right of way and become a general detriment to the public; and

WHEREAS, the depth, location and size of the public sewer may have a significant impact on the cost of repairing a building sewer and/or tap; and

WHEREAS, the portion of the building sewer or tap that is most costly to repair is typically the portion within 20 feet of the public sewer main or the portion within the public right of way; and

WHEREAS, the cost of repairing this portion of the building sewer or tap typically exceeds $3,700.00; and

WHEREAS, The Board of Public Works has previously passed a Resolution No. 80-165-5, which initially addressed the subject of this Resolution; and

WHEREAS, The Board of Public Works desires to revise said Resolution No. 80-165-5 and to establish this policy under which the City and the property owner may share in the cost for repairing that portion of the building sewer most affected by main depth, location and size in those circumstances where the cost exceeds the typical price. Further, the Board of Public Works wishes to provide the property owner with a financing mechanism for its share of the cost when the owner meets the guidelines contained in this policy.

NOW THEREFORE, be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana that:

1. This policy shall only apply to building sewers and taps serving residential properties. A residential property is defined in the *City of Fort Wayne, Indiana Code of Ordinances* 51.050 (A) (12) as "a building used as a one or two-family dwelling."

2. If the repair is located within 20 feet of the public sewer main or within the public right of way, and the cost of the repair exceeds $3,700.00, the property owner's share of the cost may be capped at $3,700.00 and Fort Wayne City Utilities shall pay the balance of the cost if all other requirements of this policy are met.

3. The cost of the repair undertaken by the property owner shall be documented by a submittal of three written quotes from licensed sewer tap contractors. The Water Pollution Control Maintenance Department (WPCM) shall review quotes. If the WPCM staff determines all quotes are unreasonably high, City Utilities may request quotes from three additional firms. If the WPCM staff finds that the quotes do not represent a fair price for the work, an outside engineering firm may

be retained by City Utilities to review the quotes and/or prepare an estimate of the cost of the repair work.

City Utilities shall pay only the documented amount that is in excess of the $3,700 cap but shall not pay more than the difference between $3,700 and the total cost shown in the lowest quote. If the estimate by an outside engineering firm retained by City Utilities is determined to be the fair price for the work, City Utilities shall pay only the difference between the $3,700 cap and the total amount for the work determined by the outside engineering firm to be reasonable.

4. In order to be considered for the cost share program, the property owner or contractor must notify the Water Pollution Control Maintenance Department of a tap problem before any excavation or repair work is undertaken.

5. WPCM shall determine if the disrepair is causing damage to the public sewer system or to a surface improvement. If no damage is resulting to the public sewer system or to a public surface improvement, and if the disrepair is located more than 20 feet from the public sewer main or is outside the public right of way, Fort Wayne City Utilities is under no obligation to participate in a repair and the property owner is not eligible for a cost share under this policy.

6. The WPCM Department shall have the authority to order property owners to make repairs to a building sewer or tap when it has been determined by WPCM that the disrepair has a detrimental effect on the public sewer system or is causing damage to street, alley or other surface improvement. Such order shall be sent to the property owner by certified-mail, return receipt requested.

7. If the property owner fails to make the necessary repair within ten (10) days of an order to do so, or if WPCM determines that an emergency exists because of damage to the public sewer system or damage to street, alley or other surface improvement, WPCM shall make the repair or have the repair made after notifying the property owner in writing of the decision to do so. Such notification will be sent to the property owner by certified-mail, return receipt requested.

8. If WPCM makes the repair or has the repair made, City Utilities shall have the authority to charge the property owner for the first $3,700.00 toward the total cost of the repair. The property owner shall pay to City Utilities its share of the cost of the building sewer or tap repairs within 30-days.

9. The property owner may apply to have its share financed over a period of time if the following guidelines are met:
    A. The property owner's income can be documented to be at or below 100% of median household income as established by the U.S. Department of Housing and Urban Development;
    B. The property owner has not had service by City Utilities discontinued for non-payment at the repair address or any other address in past two (2) years;
    C. Housing and Neighborhood Development Services (HANDS) has approved and works with the property owner on a suggested

repayment schedule. In no case shall repayment be extended over a period of longer than 36 months.

10. The financing program shall be administered by HANDS based on application of the guidelines in Section 9 of this policy. HANDS will review each application and make a recommendation to Fort Wayne City Utilities on eligibility, creditworthiness, and suggested repayment schedule. Appeal of the recommendation from HANDS shall be made to the Associate Director of Finance – Fort Wayne City Utilities.

This Resolution represents a revision of Resolution 80-165-5, and shall supersede and replace the previous Resolution on the effective date of this document.

Adopted this 3rd day of April, 2002 and effective on June 1, 2002.

BOARD OF PUBLIC WORKS

By: _____
Ted Rhinehart, Chair

By: _____
John Suarez, Member

By: _____
Lin Wilson, Member

ATTEST _____
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6867-02
COURTWOOD DR. & KIRKFIELD DR.

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **KIRKFIELD DRIVE AND COURTWOOD DRIVE, BY REPLACING CONCRETE CURB, DRIVE APPROACHES, INSTALLING SUBSURFACE DRAINAGE IMPROVEMENTS, NEW STORM SEWER PIPES AND STRUCTURES, ASPHALT RESURFACING AND RESTORATION.**.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION & STORM SEWER INSTALLATION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 3 day of April, 2003.

BOARD OF PUBLIC WORKS

TED RHINEHART, CHAIRMAN

JOHN SUAREZ, MEMBER

LIN WILSON, MEMBER

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

A RESOLUTION OF THE STORMWATER MANAGEMENT BOARD OF THE CITY OF FORT WAYNE, INDIANA, APPROVING THE FARWOOD AVENUE – HYSTONE DRIVE STORM SEWER IMPROVEMENT PROJECT AND APPROPRIATING AND CONDEMNING REAL PROPERTY FOR USE BY THE CITY OF FORT WAYNE, INDIANA, FOR THE CONSTRUCTION OF THE FARWOOD AVENUE – HYSTONE DRIVE STORM SEWER IMPROVEMENT PROJECT

RESOLUTION NUMBER 640-2002

WHEREAS, pursuant to IC 8-1.5-5-17(a), the Stormwater Management Board ("Board") of the City of Fort Wayne, Indiana ("City"), finds that the storm water management system in the general area of intersection of Farwood Avenue and Hystone Drive and the immediate area is insufficient to furnish the necessary collection and disposal of stormwater to properly protect the public health and welfare and safeguard property within the area, and it is necessary to improve the stormwater system and equipment and to acquire interest in lands to further such improvement; and

WHEREAS, the Board has prepared maps, plans, specifications and drawings with full details and descriptions for the proposed work, together with an estimate of the cost; and

WHEREAS, the Board has prepared a description of all property rights necessary to be acquired in connection with the proposed work and the manner in which the rights are to be acquired along with a description of any other property that may be injuriously affected together with the estimate cost thereof; and

WHEREAS, the Board has determined to proceed with the construction of approximately 1,030 feet of storm sewer, 12 inches through 24 inches in diameter, and appurtenant manhole and inlet structures, along with site restoration in the intersection of Farwood Avenue and Hystone Drive, the west right-of-way of Hystone Drive and the rear portions of the properties located on the 900 block of Farwood Avenue and portions of properties located in the 6100 block of Decatur Road, known as the Farwood Avenue – Hystone Drive Storm Sewer Improvement Project ("Project") in order to provide a necessary and publicly beneficial stormwater drainage system in and serving the residents on and around the 900 block of Farwood Avenue and the 6100 block of Decatur Road in Fort Wayne, Indiana ("Project Area"); and

WHEREAS, IC 8-1.5-5-17 provides a mechanism pursuant to which the Board may proceed with such Project and appropriation; and

WHEREAS, the Board has identified nine (9) property owners and nine (9) easement interests to be acquired in furtherance of the Project; and

WHEREAS, four (4) of the property owners identified by the Board have agreed to convey the easement interests to the City in lieu of condemnation in consideration of the benefits provided by the Project; and

WHEREAS, the Board has prepared a list of all remaining property owners and their respective interests in the property sought to be taken hereby, which lists is attached hereto as Exhibit A; and

WHEREAS, IC 8-1.5-5-17 requires the Board to adopt this resolution and set an administrative hearing upon the resolution publishing notice of said hearing in accordance with IC 5-3-1 and mailing a notice to each property owner. In such notices, the Board shall state that it shall hear all persons interested in the proceedings and all persons filing written remonstrances with regard to the resolution, after such time the Board shall, pursuant to IC 8-1.5-5-18, take action to confirm, modify or reject the resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE STORMWATER MANAGEMENT BOARD OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby declares the Project is necessary for the protection of the public health and welfare of the inhabitants of the stormwater district and the safeguarding of property within the district.

2. That the Board hereby declares that the Project is of public utility and benefit.

3. That the Board hereby declares that it is necessary to condemn and appropriate the easement interests in real property described in Exhibit A attached hereto in order to complete the Project and hereby appropriates said interests.

4. That the Board declares that the maximum proposed cost of the interests to be acquired is $0.00.

5. That the Board hereby adopts the plans, maps, specifications, drawings, details, descriptions and estimates prepared for the Project.

6. That the Board hereby sets May 8, 2002, at 10:30 a.m., as the date time and place at which the Board shall hear all persons interested in the proceedings and all persons filing written remonstrances with regard to the resolution.

7. That at the hearing set herein for remonstrances, the Board shall hear all persons interested in the proceedings and hear all persons filing written remonstrances and shall take final action to confirm, modify or reject this resolution.

8. That the Clerk of the Board shall and hereby is directed and authorized to publish notice of the hearing in accordance with IC 5-3-1 and mail notice of said hearing on remonstrances to those persons listed on Exhibit A attached hereto.

This resolution shall be in full force and effect from and after its adoption by the Stormwater Management Board of the City of Fort Wayne, Indiana.

Adopted this 10th day of April, 2002.

STORMWATER MANAGEMENT BOARD
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

John Suarez

Member

ATTEST:

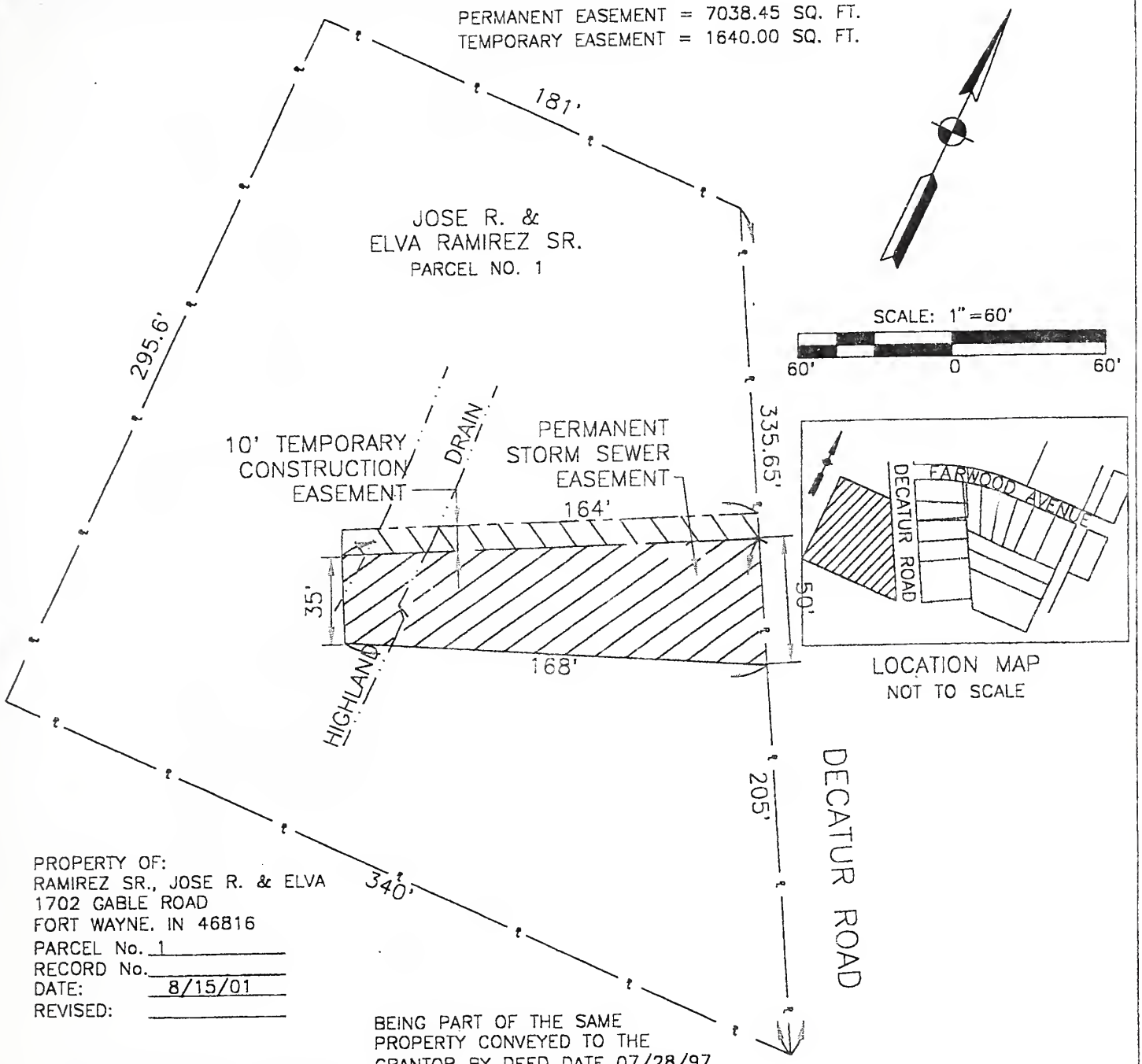
Carolyn S. Newport, Clerk

EXHIBIT A

Property Owner and Address	Deed Reference	Legal Description Permanent Drainage Easement	Legal Description Temporary Construction Easement
Jose R. Sr. & Elva Ramirez **Property address:** 6214 Decatur Road Fort Wayne, IN 46816 **Mailing address:** 1702 Gable Road Fort Wayne IN 46816 Property interest: fee simple	97-0040376	A-1	A-1
Marilyn K. Johnson 6115 Decatur Road Fort Wayne, IN 46816 Property interest: fee simple	96-1111	A-2	A-2
Mary Martinez 6117 Decatur Road Fort Wayne, IN 46816 Property interest: fee simple	99-10566	A-3	A-3
Jarret R. Jr. & Marilyn M. Clawson **Property address:** 918 Farwood Avenue Fort Wayne, IN 46816 **Mailing address:** 1106 Fayette Drive Fort Wayne, IN 46816 Property interest: fee simple	E 1712	A-4	A-4
Lee C. and Mary L. Green 930 Farwood Avenue Fort Wayne, IN 46816 Property interest: fee simple	0K7059	A-5	A-5

Total estimated cost of Project: $99,214.00
Total cost paid by City: $99,214.00
Total cost payable by property owner: $ 0.00

EXHIBIT - A1



PROPERTY OF:
RAMIREZ SR., JOSE R. & ELVA
1702 GABLE ROAD
FORT WAYNE, IN 46816
PARCEL No. 1
RECORD No.
DATE: 8/15/01
REVISED:

ALL LOT DIMENSIONS ARE PER RECORDED PLAT.

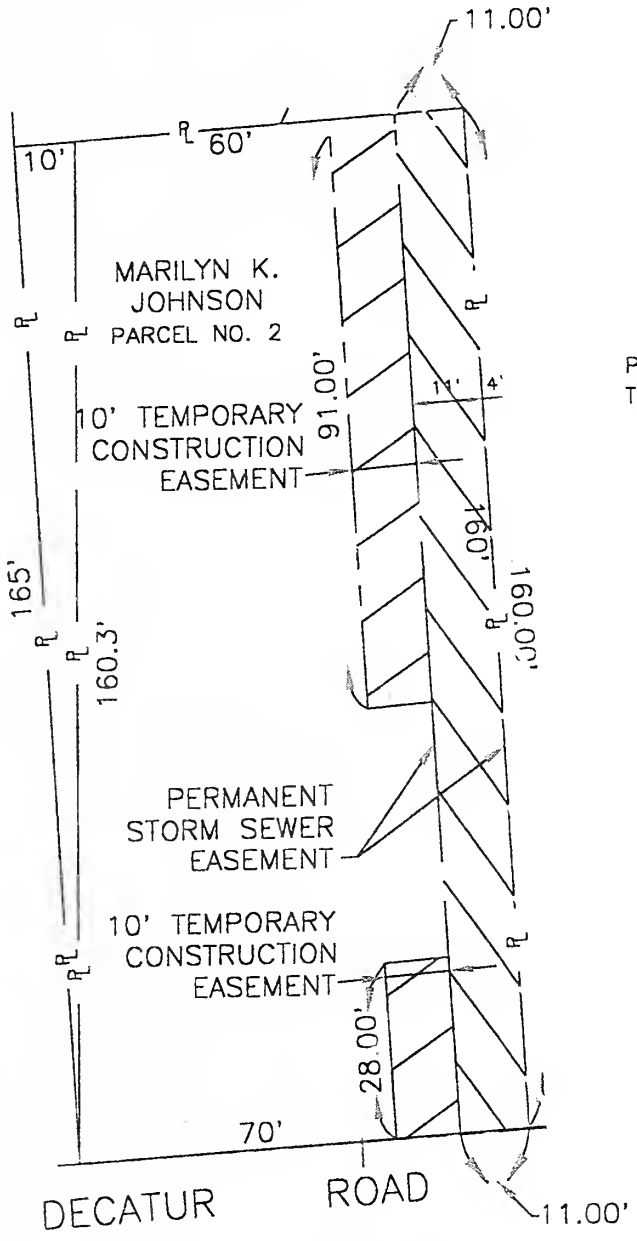
BEING PART OF THE SAME PROPERTY CONVEYED TO THE GRANTOR BY DEED DATE 07/28/97 RECORDED IN INSTRUMENT NO. 970040376 IN THE OFFICE OF THE ALLEN COUNTY RECORDER.

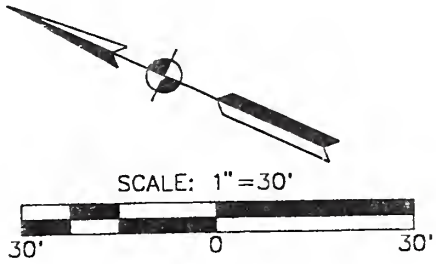
MARK D. DOWNEY
REGISTERED
No.
S0403
STATE OF
INDIANA
LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DISTANCES AS SHOWN ON THIS PLAT HAVE NOT BEEN ADJUSTED. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

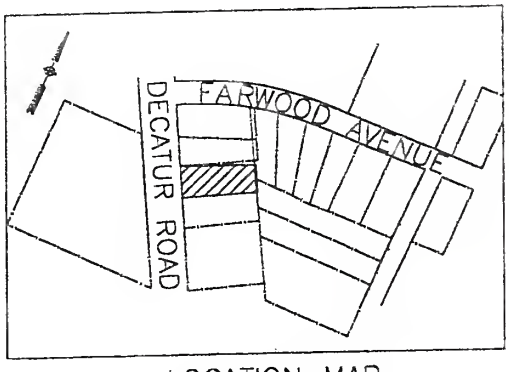
R.L.S# S0403, STATE OF INDIANA

EXHIBIT - A2





PERMANENT EASEMENT = 1731.26 SQ. FT.
TEMPORARY EASEMENT = 1203.23 SQ. FT.



LOCATION MAP
NOT TO SCALE

ALL LOT DIMENSIONS ARE PER RECORDED PLAT.

BEING PART OF THE SAME PROPERTY CONVEYED TO THE GRANTOR BY DEED DATE 4/01/96 RECORDED IN INSTRUMENT NO. 96-1111 IN THE OFFICE OF THE ALLEN COUNTY RECORDER.

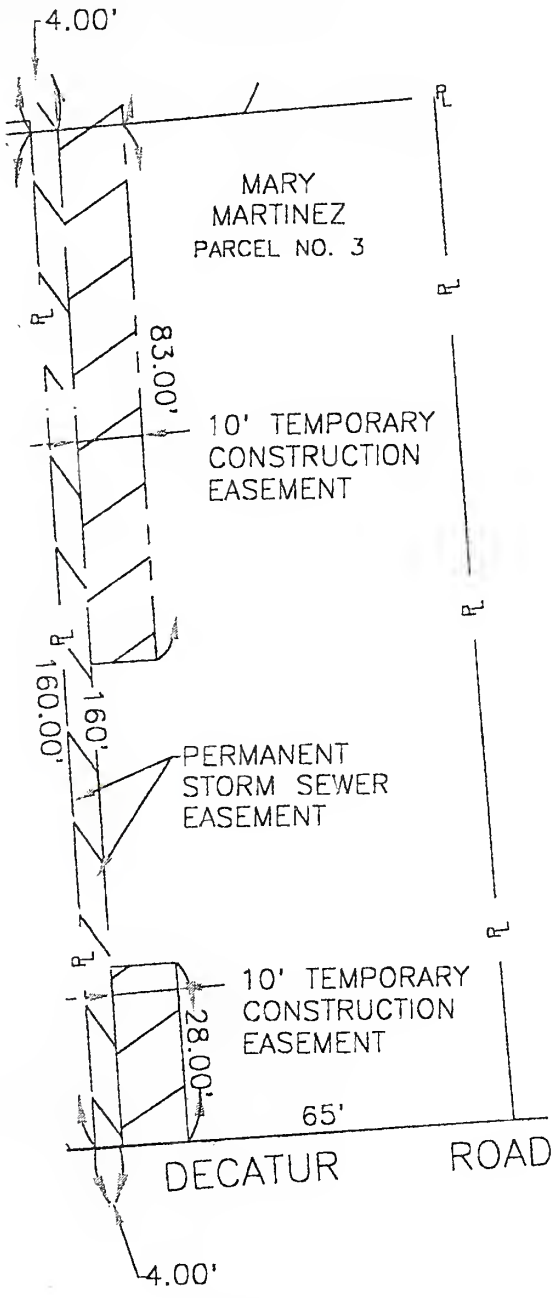
PROPERTY OF:
JOHNSON, MARILYN K.
6115 DECATUR RD.
FORT WAYNE. IN 46816
PARCEL No. 2
RECORD No. _____
DATE: 8/15/01
REVISED: _____

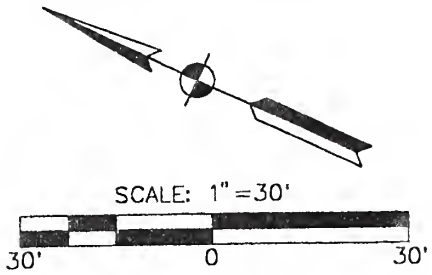
MARK D. DOWNEY
REGISTERED
No.
S0403
STATE OF
INDIANA
LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DISTANCES AS SHOWN ON THIS PLAT HAVE NOT BEEN ADJUSTED. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

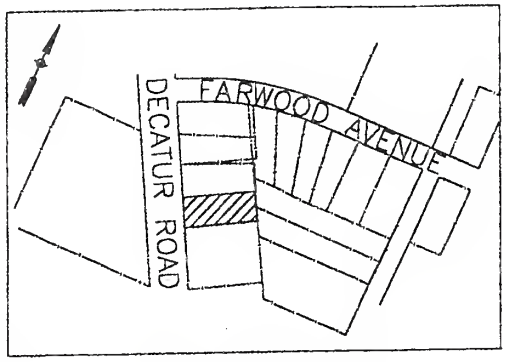
R.L.S.# S0403, STATE OF INDIANA

EXHIBIT - A3





PERMANENT EASEMENT = 665.86 SQ. FT.
TEMPORARY EASEMENT = 1116.32 SQ. FT.



LOCATION MAP
NOT TO SCALE

BEING PART OF THE SAME PROPERTY CONVEYED TO THE GRANTOR BY DEED DATE 09/20/99 RECORDED IN INSTRUMENT NO. 99-10566 IN THE OFFICE OF THE ALLEN COUNTY RECORDER.

PROPERTY OF:
MARTINEZ, MARY
6117 DECATUR RD.
FORT WAYNE. IN 46816
PARCEL No. 3
RECORD No.
DATE: 8/15/01
REVISED:

ALL LOT DIMENSIONS ARE PER RECORDED PLAT.

MARK D. DOWNEY
REGISTERED
No.
S0403
STATE OF
INDIANA
LAND SURVEYOR

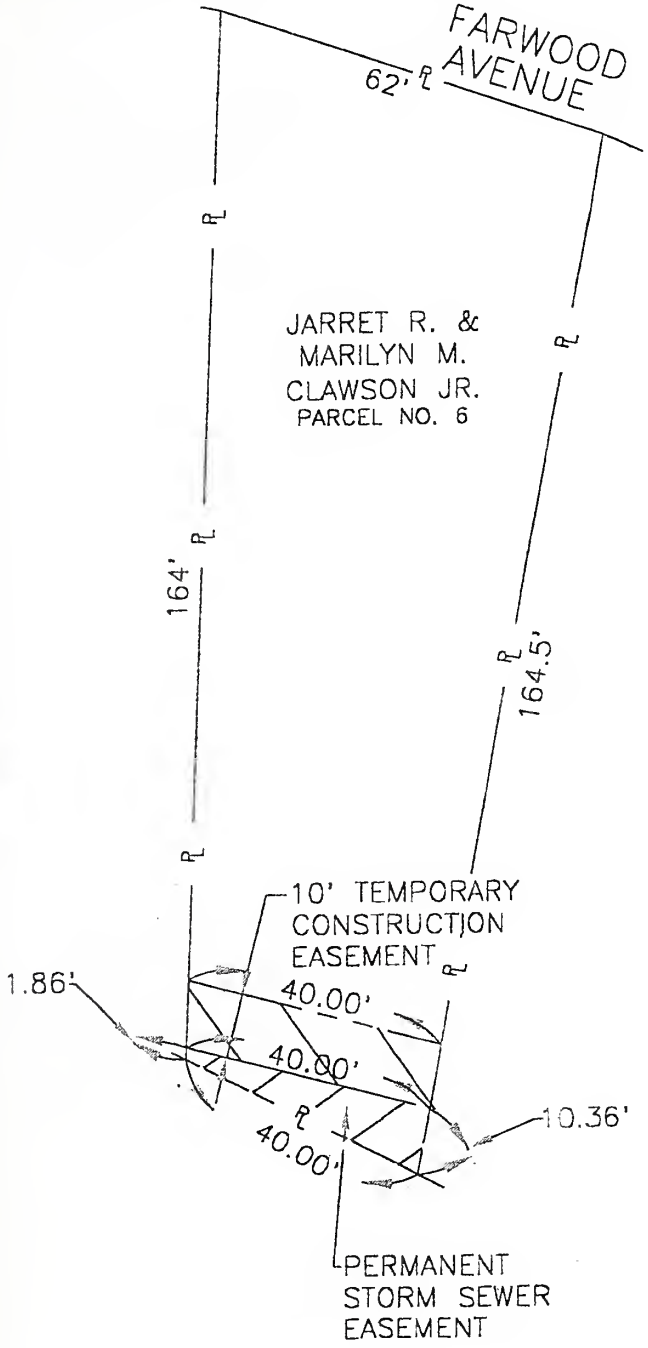
I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DISTANCES AS SHOWN ON THIS PLAT HAVE NOT BEEN ADJUSTED. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

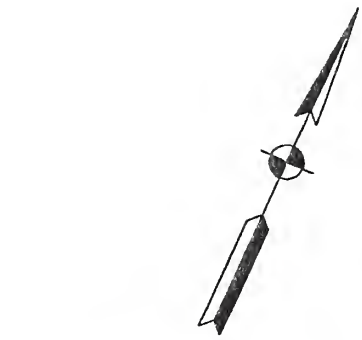
R.L.S.# S0403, STATE OF INDIANA

PLAT3.dwg 30

EXHIBIT - A4

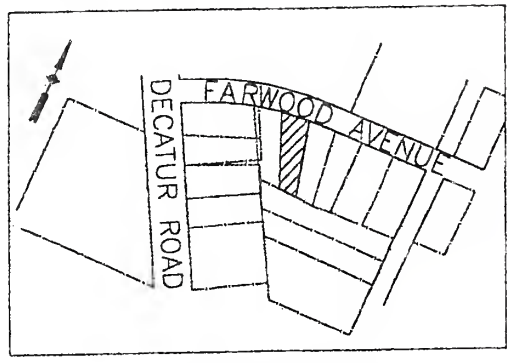
PERMANENT EASEMENT = 236.79 SQ. FT.
TEMPORARY EASEMENT = 391.69 SQ. FT.





SCALE: 1"=30'

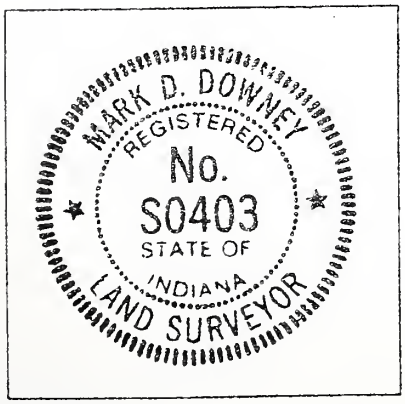
30' 0 30'



LOCATION MAP
NOT TO SCALE

BEING PART OF THE SAME PROPERTY CONVEYED TO THE GRANTOR BY DEED DATE 03/31/71 RECORDED IN INSTRUMENT NO. E 1712 IN THE OFFICE OF THE ALLEN COUNTY RECORDER.

PROPERTY OF:
CLAWSON JR., JARRET R. & MARILYN M.
1106 FAYETTE DR.
FORT WAYNE. IN 46816
PARCEL No. 6
RECORD No.
DATE: 8/15/01
REVISED:



ALL LOT DIMENSIONS ARE PER RECORDED PLAT.

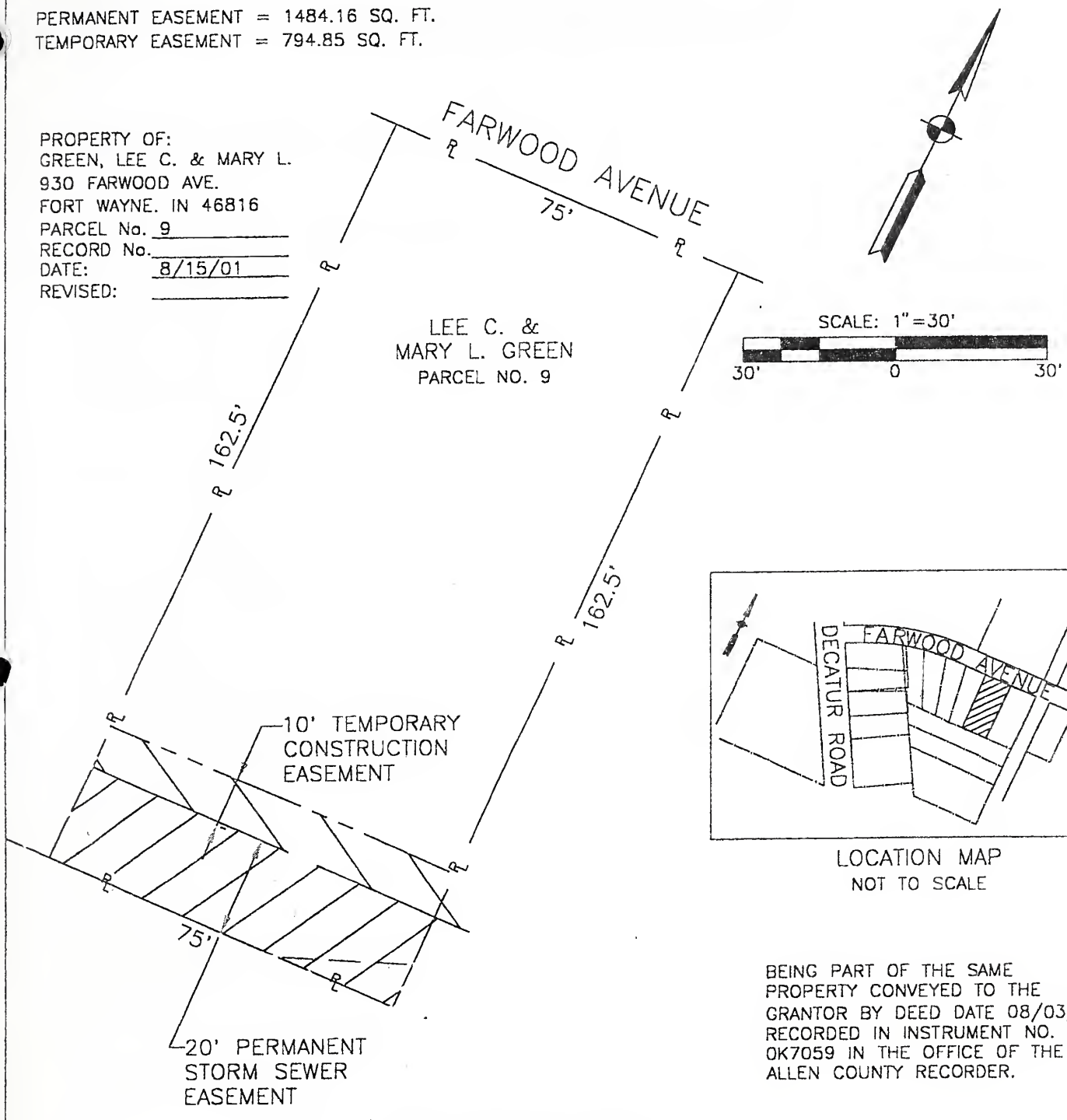
I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DISTANCES AS SHOWN ON THIS PLAT HAVE NOT BEEN ADJUSTED. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

R.L.S.# S0403, STATE OF INDIANA

EXHIBIT - A5

PERMANENT EASEMENT = 1484.16 SQ. FT.
TEMPORARY EASEMENT = 794.85 SQ. FT.

PROPERTY OF:
GREEN, LEE C. & MARY L.
930 FARWOOD AVE.
FORT WAYNE. IN 46816
PARCEL No. 9
RECORD No.
DATE: 8/15/01
REVISED:



LOCATION MAP
NOT TO SCALE

BEING PART OF THE SAME PROPERTY CONVEYED TO THE GRANTOR BY DEED DATE 08/03/77 RECORDED IN INSTRUMENT NO. 0K7059 IN THE OFFICE OF THE ALLEN COUNTY RECORDER.

MARK D. DOWNEY
REGISTERED
No.
S0403
STATE OF
INDIANA
LAND SURVEYOR

ALL LOT DIMENSIONS ARE PER RECORDED PLAT.

I HEREBY CERTIFY THAT THIS PLAT WAS MADE UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. DISTANCES AS SHOWN ON THIS PLAT HAVE NOT BEEN ADJUSTED. THIS EASEMENT PLAT MEETS OR EXCEEDS THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.

R.L.S.# S0403, STATE OF INDIANA

PLAT9.dwg 30

IMPROVEMENT RESOLUTION NO. 6880-02
WOODHURST ADDITION PHASE I

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
FAIRFAX AVENUE FROM SOUTH WAYNE AVENUE TO FAIRFIELD AVENUE BY RECONSTRUCTING CEMENT CONCRETE STREET, DRIVEWAYS, ADA RAMPS, AND DRAINAGE IMPROVEMENTS.
SOUTH WAYNE AVENUE FROM PETTIT AVENUE TO WOODHURST BOULEVARD BY SPOT REPAIRS OF CEMENT CONCRETE STREET AND DRIVEWAYS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 10th day of April, 20 02.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Member

John Suarez
Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6836-02
MISCELLANEOUS CONSTRUCTION PACKAGE 6-A-02

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
SOUTH SIDE OF E. RUDISILL: SMITH TO HANNA - SIDEWALK IMPROVEMENTS.
PLAZA DRIVE - SIDEWALKS, DRIVE APPROACHES & ADA RAMPS AT THE FOLLOWING ADDRESSES - 4146, 4140, 4132, 4126, 4137, 4129.
CENTRAL DRIVE - SIDEWALK & DRIVE APPROACHES AT THE FOLLOWING ADDRESSES - 3925, 4035, 4101, 4129, 4217, 4219.
W. SIDE OF WINTER STREET: 4400 - 4600 BLOCK: CURB, SIDEWALK, DRIVE APPROACHES, ADA CURB RAMPS, MULCH AND SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 10th day of April, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

WATER POLLUTION CONTROL PLANT
SLUICE GATE REHABILITATION
RESOLUTION NO. 664-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of sluice gate rehabilitation to ten sluice gates and four new gate operator motor control centers at the Water Pollution Control Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **"WPCP SLUICE GATE REHABILITATION"** (project).

Declares the cost of the said improvements shall be paid by the funds from the City of Fort Wayne Sewer Utility Revenue Fund.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire no property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $267,000.

Declares the project will not change fees currently paid to property owners in this area.

APPROVED THIS 10th DAY OF April, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____

ATTEST: _____
Carolyn S. Newport, Clerk

ESTIMATE OF QUANTITIES

PROJECT: TREVERTON DRIVE - 7209 To 7221
(Concrete Pavement Restoration)

RES. NO.: 6872-02

B.O. NO.: 261-01

DATE: 3/13/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	900.00	900.00
2.	Removal of Concrete	32	SY	6.00	192.00
3.	Patching, Full Depth, Plain Concrete Pavement (6")	460	SY	28.00	12880.00
4.	Anchor Bolts	240	EA	8.50	2040.00
5.	Concrete Pavement for Residential Drive (6")	32	SY	28.00	896.00
6.	Type "O" Compacted Aggregate for Base, No.53	125	TN	12.50	1562.50
7.	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	315	LF	8.00	2520.00
8.	Expansion Joint with Load Transfer, One (1) inche(s)	27	LF	12.00	324.00
9.	Casting, Type C, Furnished & Adjusted to Grade	1	EA	425.00	425.00
10.	Inlet,Type I -C	1	EA	1000.00	1000.00
11.	Pipe, RCP, Class IV, 12" (Complete-In-Place)	7.5	LF	75.00	562.50
12.	Water Valves (Curb-Box) Adjusted to Grade	3	EA	35.00	105.00
13.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	1	EA	80.00	80.00
14.	Construction Signs, Type A With Construction Warning Light Type A	2	EA	80.00	160.00
15.	Standard Barricade, Type III-B With Signs, Type B Construction	4	EA	175.00	700.00
16.	Backfill Behind Curb	20	TN	5.00	100.00
17.	Stump, Removal	1	EA	75.00	75.00
18.	Top Soil	15	TN	12.50	187.50
19.	Mulched Seeding,	150	SY	0.50	75.00
20.	Maintenance of Traffic	1	LS	100.00	100.00

SUB-TOTAL:	24884.50
E&I @16%	3981.52
TOTAL:	**$28,866.02**

BOB ARNOLD / NORTHSIDE PARK AREA STORM SEWERS PROJECT
CONTRACTS A1 & A2
RESOLUTION NO. 584-1998

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the Construction of Contract A1 that begins on Pleasant Avenue south of State Street with construction of a new 54" concrete storm sewer, then the project proceeds north on Pleasant Ave to the Northside Park Area. Storm sewers and associated manholes and inlets will be installed in the following streets: Pleasant Ave., Fricke Ave., Nettie Ave., Stadium Dr., Eade Dr., and Charlotte Ave. A total of approximately 6,850 linear feet of pipe ranging in size from 12" to 54" inches is proposed.

And, orders the Construction of Contract A2 that begins on Charlotte Avenue between Parnell and Kentucky Avenue with construction of a new 42" concrete storm sewer, then proceeds east on Charlotte Ave. to east the side of the Northside Park Area. Storm sewers and associated manholes and inlets will be installed in the following streets: Charlotte Ave., Kentucky Ave., Clara Ave., Dodge Ave., Lynn Ave., and Crescent Ave. A total of approximately 6,800 linear feet of pipe ranging in size from 12" to 42" is proposed.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "Bob Arnold / Northside Park Area Storm Sewers Project Contracts A1 & A2 - Subbasin O10101".

Declares the cost of the said improvements shall be paid by the funds from the Sewer Utility Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States the maximum proposed cost associated with the purchase of any land associate with this project is $ 1,042.50.

Declares the engineer's estimate of the project's total cost is $4,456,000.

Declares this project will not change fees currently paid by property owners in project area.

APPROVED THIS 10th DAY OF April, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
_____, Member

ATTEST: _____
Carolyn S. Newport, Clerk

ATTACHMENT A

PROPERTY ACQUISITION SUMMARY

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBER	SOURCE OF TITLE DEED RECORD NUMBER	SEWER AND DRAINAGE EASEMENT	TEMPORARY CONSTRUCTION EASEMENT	REMARKS	EASEMENT DOCUMENT NUMBER
1	Park Center, Inc.	909 E. State Blvd., Fort Wayne, IN 46805	SP-13	Deed Document # 73-12448	8,332 sf	45,266 sf	Easement Donated/Contract A2	
2								
3								
4								
5								
6								
7								
8								
9								
10								

IMPROVEMENT RESOLUTION NO. 6881-02
ALLENDALE DRIVE: BELLE VISTA BOULEVARD TO GILBERT DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
BY RECONSTRUCTING THE EXISTING ROADWAY WITH NEW ASPHALT PAVEMENT, NEW CONCRETE CURBING AND DRIVE APPROACHES AS NEEDED, AND BY REHABILITATING THE EXISTING STORM SEWER STRUCTURES, AND SEED, MULCH, AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, YARDWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 17th day of April, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6866-02

SOUTH ANTHONY BOULEVARD: PAULDING ROAD TO FAIRFAX ROAD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

SOUTH ANTHONY BOULEVARD FROM PAULDING ROAD TO FAIRFAX ROAD BY CEMENT CONCRETE PAVEMENT CRACK AND SEAT; CURB AND DRIVEWAY APPROACH REMOVAL AND RECONSTRUCTION; BITUMINOUS OVERLAY; SEEDING RESTORATION AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17 day of April, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6875-02
VICTORIA DRIVE: INWOOD DRIVE TO EASTERN TERMINUS

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
VICTORIA DRIVE FROM INWOOD DRIVE TO EASTERN TERMINUS BY RECONSTRUCTION OF ASPHALT STREET, CURBS, STORM SEWER STRUCTURES, DRIVE APPROACHES, SUB-SURFACE DRAINAGE, TOP SOIL AND MULCHED SEEDING.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, AND DRIVEWAY APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 1 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Member

John Suarez
Member

ATTEST: Rhonda S. Miller for
Carolyn S. Newport
Clerk

CHARLOTTE AVENUE -
WATER MAIN IMPROVEMENTS
RESOLUTION NO. 1100-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,800 LF of 6" and 8" water main, seven (7) fire hydrants, 80 services and all other appurtenances necessary for this project. Project also includes street resurfacing for Charlotte & Santa Rosa.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "CHARLOTTE AVENUE – WATER MAIN IMPROVEMENTS"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue) and TES.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no costs associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $350,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 1 DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6869-02

FAIRFIELD AVENUE, SOUTH: TILLMAN ROAD TO FAIRWICK LANE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

FAIRFIELD AVENUE, SOUTH FROM TILLMAN ROAD TO FAIRWICK LANE BY REPAIRING/RECONSTRUCTING CEMENT CONCRETE PAVEMENT, JOINTS, CURBS AND DRIVEWAY APPROACHES; CONSTRUCTING CURB RAMPS; AS INDICATED AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 1 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Rhonda S. Miller for
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6879-02
PUBLIC SIDEWALK CURB RAMPS 2002 - PKG 3

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BY ALTERING EXISTING AREAS, ELEMENTS & FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND RAMPS AT VARIOUS LOCATIONS IN THE LINCOLN VILLAGE ADDITION, INTERSECTIONS ALONG PARNELL FROM CURDES AVENUE TO VANCE AVENUE AND THE INTERSECTION OF ST. MARY'S & LILLIAN, IRENE & ETHEL, IRENE & CLIFTON HILL, IRENE & CAMBRIDGE, CLAYTON & HENSCH, CLAYTON & WELLS & SHAWNEE SCHOOL & COOK ROAD**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 1st day of May, 2002

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Rhonda S Miller for
Carolyn S. Newport
Clerk

AMENDED

A RESOLUTION establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works and/or Board of Stormwater Management.

RESOLUTION 89-140-6

WHEREAS, The Board of Public Works and/or Board of Stormwater Management of the City of Fort Wayne, Indiana, has the legal authority and responsibility to construct and maintain the City's public infrastructure and to establish property-owner participation procedures for the payment of neighborhood capital improvements;

NOW THEREFORE, the Board of Public Works and or Board of Stormwater Management hereby adopts the following policies and procedures through which citizens may petition for neighborhood capital improvements and pay for those improvements:

I. THE PETITION PROCESS

A. PETITIONS: Citizens who desire the City of Fort Wayne to make infrastructure improvements in their neighborhood should petition for those projects directly to the Board of Public Works through their City Council representative. All projects are subject to the availability of adequate funds.

B. SIGNATURES REQUIRED: Any petition requesting improvements which affects property owners will be required to pay a portion of the cost. Petitions must be signed by at least 51% of the affected property owners, except where different percentage amounts are set forth below. "Affected property owners" are defined as those owning property adjacent to the improvement project.

The minimum level of signatures on the petition is established as an indication that the project is supported by a majority of the affected property owners. Petitions not containing the established amount of signatures may continue to be processed at the request of the City Council representative providing funding for the engineering work from his/her district's allotment of County Economic Development Income Tax (CEDIT) dollars.

C. ENGINEERING EVALUATION: Petitions must be reviewed for improvement need by engineering staff - The Board of Public Works and/ or Board of Stormwater Management will determine proceeding with improvement based on engineering evaluation of need.

D. PUBLIC HEARING: After a petition has been filed and City Engineers have prepared a cost estimate for the project, along with an estimate of what each property owner's assessment will be,

a public hearing will be held to inform property owners of project details. Property owners will be notified by mail of the public hearing.

E. **REMONSTRANCE:** If at least 51% of the affected property owners, who oppose the project, sign a remonstrance petition and file it with the Board of Public Works within 10 days of the initial public hearing, the project will be canceled.

F. **RE-PETITIONING AFTER A SUCCESSFUL REMONSTRANCE:** After a successful remonstrance of a project, citizens may file a new petition for the project no sooner than six (6) months after the remonstrance was filed with the Board of Public Works. This six-month requirement shall be waived if the new petition changes the project's scope (i.e.: reducing the geographic area).

II. COST SHARING GUIDELINES FOR SPECIFIC KINDS OF PROJECTS

A. **STREET-CURBS-SIDEWALK**
SIDEWALK INSTALLATION OR REPLACEMENT;
REPLACEMENT OF CURBS OR INSTALLATION OF NEW CURBS;
CURB AND SIDEWALK OR CURBFACE WALKS;
STREET RECONSTRUCTION;
SIDEWALKS, CURBS AND NEW STREET INSTALLATIONS;

GUIDELINES:
Property owners within the project's limits will pay 60% of the cost of the sidewalk, curb, yardwalks and driveway approach improvements adjacent to their property, with assessment based on lineal footage; the City will pay 40% of these costs. Drive approach work required because of the project will be assessed based on square yardage of the drive approach. Improvement costs shall include engineering, the labor and material for installing the new item(s), removal of old item(s), excavation, bedding, restoration, engineering, inspection and other expenses associated with the project, such as drainage improvements, when necessary.

Property owners living on corner lots will be asked to pay 60% of the less lineal footage of side property. The City will pay for 40% of the less lineal footage of side property and 100% of the larger lineal footage of side property.

The funding of petitions requesting "street reconstruction" depends on whether the existing street is already "improved" or "unimproved", as determined by the Transportation Engineering Services Department. Generally, an "improved" street was built with subsurface drainage and curbs. Reconstruction of an improved street is funded 100% with City funds, when available. An "unimproved street" is generally built with no drainage provisions and no curbs. Reconstructing an unimproved street means the street will be built to "improved" street standards. In this case, affected property owners will pay 60% of the overall project's costs, and the City will pay 40%.

B. **STREET LIGHTS:** All requests for additional street lighting must come to the Board of Public Works in the form of a petition signed by 60% of the property owners in the city block or blocks described in the petition (per IC 36-9-9-3b). Funding options for street lighting petitions are as follows:

Standard overhead street lights will be funded 100% with City dollars, with project priority determined by the Board of Public Works, or as funding is allocated by the appropriate City Council representatives. Wiring will meet the petitioning neighborhood's existing covenant conditions. If no covenants exist to prevent overhead wiring, but residents desire underground wiring for standard street lights, then residents shall pay for 60% of the installation costs of the project, and the City shall pay for 40% of the installation costs and for 100% of the materials costs). Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners.

Ornamental street light improvement projects shall be funded 60% by property owners within the project's limits, and 40% by the City. Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners. Ornamental lighting to be placed only at street intersections is NOT an option available to property owners and shall not be approved by the Board of Public Works.

STREET LIGHTS IN NEWLY-ANNEXED AREAS: Street lighting annexation commitments for newly-annexed neighborhoods will be fulfilled exclusively with 30' standard wooden or aluminum poles with wiring that meets each neighborhood's wiring covenant conditions. Newly annexed property owners who desire more street lights than an annexation commitment requires must petition for the additional lighting, or ornamental lighting, in accordance with the policies described above. The possibility of such a petition will not preclude installation of street lights required by a City annexation commitment. However, the City staff will work with neighborhood associations/petitions to avoid installation of unwanted types of street lights if a successful petition effort is likely.

Newly annexed neighborhoods which do not want any street lighting installed by the City per City annexation commitments may petition the Board of Public Works to prevent the installation. Such a petition may request no lights for a portion of the neighborhood or for the entire neighborhood. Regardless, however, such a petition must be signed by two-thirds of the property owners in the entire neighborhood association being annexed. While these petitions may be considered and approved, neighborhood streets intersecting with collector or arterial streets shall comply with the terms of the City's annexation commitment. The Board of works always reserves the right, based on public safety concerns, to install lights where necessary.

C. **ALLEY RECONSTRUCTION:** Property owners within the project's limits will pay 75% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 25% of these costs.

D. **WATER PROJECTS:** When petitions for water mains are received, Water Engineering shall prepare a conceptual design for local water mains to serve the petitioners. The cost of the conceptual design shall be estimated and allocated equally to the properties affected. Water Engineering shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Engineering shall then present the petitioner's options to the Board of Public Works and identify the financing option Water Engineering determines is most feasible. If the Board determines that Barrett Law funding of a water main is the most feasible, then they shall order Water Engineering to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local water main. Other financing options include up-front property owner payment or, very rarely, utility revenue with long-term property owner

reimbursement.

The property owners will pay for 100% of the main installation if they do not currently have City water. If oversizing of said main is required by the City, the City will pay for that portion of the water main that represents the oversizing. The City pays full cost for maintenance and replacement of existing public lines.

E. **SANITARY SEWER PROJECTS:** When petitions for sanitary sewers are received, Water Resources will prepare a conceptual design for a local sewer system to serve the petitioners. The cost of the conceptual design shall be estimated and allocated to the lots/units affected by the proposed system using the method established in IC-36-9-39. Water Resources shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Resources shall then present the petitioner's options to the Board of Public Works and identify the option Water Resources feels is most feasible. If the Board determines that Barrett Law funding of a sanitary sewer project is the most feasible, then the Board shall order Water Resources to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local sewer.

No set percentage of affected property owners is required to petition by Indiana law with sewer projects since, according to IC 36-9-39, the only test for proceeding with a sewer project is whether or not the "special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works."

Per IC 36-9-39, property owners may appear at the public hearing on the project to remonstrate against the project. The decision of the Board of Works, after weighing the evidence submitted by all parties at the public hearing shall be final.

Expenses associated with the engineering, construction and inspection of the local sewer project shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000 of cost allocated to each unit or lot whether or not connected. The Water Pollution Control Utility shall pay the remainder of the engineering, construction and inspection costs. No project shall proceed until funds have been budgeted for the Utility's share of the costs.

Property owners shall pay area connection and other applicable special fees when they apply for a tap permit. These fees are not considered to be engineering, construction or inspection costs and shall not be included in the $4,000 maximum assessment per lot/unit.

The City shall pay full cost for maintenance and replacement of existing public lines and shall assume the maintenance costs for the newly constructed public sanitary sewer lines once the construction project has been inspected and accepted by the Board of Public Works.

F. **STORMWATER DRAINAGE PROJECTS:** Upon receiving a petition for stormwater drainage improvements, Water Resources shall undertake a preliminary investigation and analysis of the situation precipitating the petition. The nature and degree of the problem will be determined, as will the affected properties and affecting parties. Components of the drainage system(s) in the area will be identified and evaluated as to their condition, capacity, performance, and adequacy. A conceptual design will be developed, identifying and differentiating local or lateral component improvements to serve the petitioners and any trunkline drain improvements that will also be necessary.

A local and/or lateral drain shall be defined as a drain that serves as an outlet for a local watershed or for a subbasin within a neighborhood or subdivision. An area trunkline is a drain that outfalls multiple local or lateral drains.

Expenses associated with the engineering, construction, and inspection of local and lateral drain improvement projects shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000.00 of cost allocated to each lot/unit to be drained. Water Resources shall pay the remainder of the engineering, construction, and inspection costs. There may be instances where the Utility considers oversizing a local line in anticipation of converting this line to an area *trunkline* sometime in the future; when this is the case, the property owners will be responsible only for the drain costs associated with their subbasin capacity needs, and the Utility will fund any additional costs due to the oversizing. No project shall proceed until funds have been budgeted for the Utility's share of the cost.

The basis for proceeding on a petitioned sewer or drainage improvement project according to IC 36-9-39 is not the percentage of affected property owner signatures on the petition, but, whether or not the special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works.

Per IC 36-9-39, property owners may appear at the public hearing on the project to remonstrate against the project. The decision of the Board of Stormwater Management, after weighing the evidence submitted by all parties at the public hearing, shall be final.

The City shall pay the full cost for maintenance and replacement of existing public lines and shall assume the maintenance costs for the newly constructed public storm sewer lines once the construction project has been inspected and accepted by the Board of Public Works.

III. MISCELLANEOUS

A. **EXCEPTIONS:** Exceptions to the standard petition process and cost-sharing policies include projects funded by federal or state community development or economic development grants, or as requested by City Council representatives with CEDIT neighborhood capital improvement funds. The Board of Public Works may consider any project on an individual basis and may make any adjustments that the Board deems necessary to complete a project.

B. **CALCULATING PROJECT COSTS:** Property owners will be assessed based on the guidelines described in the above categories. Also, any alley approaches that are being replaced, corner wing-walks that are being replaced or drainage structures that must be repaired as part of any project will be paid 100% by the City.

C. **ANNUAL REVIEW:** The Board of Public Works should review these policies and the petition procedure every year by January 31 and amend them, as the Board deems necessary.

5-8-02

BOARD OF STORMWATER MANAGEMENT

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport
Clerk

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport
Clerk

NORTH DRIVE – REED ROAD
STORM DRAINAGE IMPROVEMENT
RESOLUTION NO. 665-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of 2100 LF of 12"-54" storm sewer pipe, 10 manholes, 9 inlets, with all utilities adjustment and site restoration.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the titled "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project is of public utility and benefit.

Declares the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project does require the acquisition of property rights (permanent sewer and drainage easements) only if the design "Alternate" is chosen for construction.

Declares the engineer's estimate of "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project's total cost is $441,000.000.

Declares the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 8 **DAY OF** May **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
, Member

IMPROVEMENT RESOLUTION NO. 6876-02
LAKE SHORES ADDITION PHASE III
LAKEWOOD DRIVE: MONTEREY DRIVE TO HILTONIA DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
LAKEWOOD DRIVE: MONTEREY DRIVE TO HILTONIA DRIVE – SPOT REPAIR OF CONCRETE PAVEMENT AND AFFECTED DRIVE APPROACHES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 8 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6890-02
CHESTNUT STREET PHASE II

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
CHESTNUT ST FROM SUMMER ST TO LUMBARD ST, AND AT 1804 LUMBARD ST BY RECONSTRUCTION OF SIDEWALKS, DRIVE APPROACHES, AND ALLEY APPROACHES

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 8 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6889-02

EWING STREET: JEFFERSON BOULEVARD TO MAIN STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **EWING STREET FROM JEFFERSON BOULEVARD TO MAIN STREET BY CEMENT CONCRETE PAVEMENT REMOVAL AND REPLACEMENT AS NEEDED; ABANDONED DRIVEWAY APPROACH REMOVAL; CURB RAMP CONSTRUCTION; SIDEWALK RECONSTRUCTION AS NEEDED AND OTHER RELATED ROADWAY WORK.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 8 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6883-02
NORTH ANTHONY BLVD: REVERSIBLE LEFT TURN LANE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
NORTH ANTHONY BLVD FROM CRESCENT AVENUE TO NORTH OF ST. JOE RIVER DRIVE BY PARTIAL LANE CONSTRUCTION, ADA RAMPS, CENTER CURB ELIMINATION AND NEW TRAFFIC STRIPING FOR REVERSIBLE LEFT TURN LANE.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 8 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

AMENDED

A RESOLUTION establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works and/or Board of Stormwater Management.

RESOLUTION 89-140-6

WHEREAS, The Board of Public Works and/or Board of Stormwater Management of the City of Fort Wayne, Indiana, has the legal authority and responsibility to construct and maintain the City's public infrastructure and to establish property-owner participation procedures for the payment of neighborhood capital improvements;

NOW THEREFORE, the Board of Public Works and or Board of Stormwater Management hereby adopts the following policies and procedures through which citizens may petition for neighborhood capital improvements and pay for those improvements:

I. THE PETITION PROCESS

A. **PETITIONS:** Citizens who desire the City of Fort Wayne to make infrastructure improvements in their neighborhood should petition for those projects directly to the Board of Public Works through their City Council representative. All projects are subject to the availability of adequate funds.

B. **SIGNATURES REQUIRED:** Any petition requesting improvements which affects property owners will be required to pay a portion of the cost. Petitions must be signed by at least 51% of the affected property owners, except where different percentage amounts are set forth below. "Affected property owners" are defined as those owning property adjacent to the improvement project.

The minimum level of signatures on the petition is established as an indication that the project is supported by a majority of the affected property owners. Petitions not containing the established amount of signatures may continue to be processed at the request of the City Council representative providing funding for the engineering work from his/her district's allotment of County Economic Development Income Tax (CEDIT) dollars.

C. **ENGINEERING EVALUATION:** Petitions must be reviewed for improvement need by engineering staff - The Board of Public Works and/ or Board of Stormwater Management will determine proceeding with improvement based on engineering evaluation of need.

D. **PUBLIC HEARING:** After a petition has been filed and City Engineers have prepared a cost estimate for the project, along with an estimate of what each property owner's assessment will be,

a public hearing will be held to inform property owners of project details. Property owners will be notified by mail of the public hearing.

E. **REMONSTRANCE:** If at least 51% of the affected property owners, who oppose the project, sign a remonstrance petition and file it with the Board of Public Works within 10 days of the initial public hearing, the project will be canceled.

F. **RE-PETITIONING AFTER A SUCCESSFUL REMONSTRANCE:** After a successful remonstrance of a project, citizens may file a new petition for the project no sooner than six (6) months after the remonstrance was filed with the Board of Public Works. This six-month requirement shall be waived if the new petition changes the project's scope (i.e.: reducing the geographic area).

II. COST SHARING GUIDELINES FOR SPECIFIC KINDS OF PROJECTS

A. **STREET-CURBS-SIDEWALK**
SIDEWALK INSTALLATION OR REPLACEMENT;
REPLACEMENT OF CURBS OR INSTALLATION OF NEW CURBS;
CURB AND SIDEWALK OR CURBFACE WALKS;
STREET RECONSTRUCTION;
SIDEWALKS, CURBS AND NEW STREET INSTALLATIONS;

GUIDELINES:
Property owners within the project's limits will pay 60% of the cost of the sidewalk, curb, yardwalks and driveway approach improvements adjacent to their property, with assessment based on lineal footage; the City will pay 40% of these costs. Drive approach work required because of the project will be assessed based on square yardage of the drive approach. Improvement costs shall include engineering, the labor and material for installing the new item(s), removal of old item(s), excavation, bedding, restoration, engineering, inspection and other expenses associated with the project, such as drainage improvements, when necessary.

Property owners living on corner lots will be asked to pay 60% of the less lineal footage of side property. The City will pay for 40% of the less lineal footage of side property and 100% of the larger lineal footage of side property.

The funding of petitions requesting "street reconstruction" depends on whether the existing street is already "improved" or "unimproved", as determined by the Transportation Engineering Services Department. Generally, an "improved" street was built with subsurface drainage and curbs. Reconstruction of an improved street is funded 100% with City funds, when available. An "unimproved street" is generally built with no drainage provisions and no curbs. Reconstructing an unimproved street means the street will be built to "improved" street standards. In this case, affected property owners will pay 60% of the overall project's costs, and the City will pay 40%.

B. **STREET LIGHTS:** All requests for additional street lighting must come to the Board of Public Works in the form of a petition signed by 60% of the property owners in the city block or blocks described in the petition (per IC 36-9-9-3b). Funding options for street lighting petitions are as follows:

Standard overhead street lights will be funded 100% with City dollars, with project priority determined by the Board of Public Works, or as funding is allocated by the appropriate City Council representatives. Wiring will meet the petitioning neighborhood's existing covenant conditions. If no covenants exist to prevent overhead wiring, but residents desire underground wiring for standard street lights, then residents shall pay for 60% of the installation costs of the project, and the City shall pay for 40% of the installation costs and for 100% of the materials costs). Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners.

Ornamental street light improvement projects shall be funded 60% by property owners within the project's limits, and 40% by the City. Property owners' assessments will be based on lineal footage, unless the petition specifically requests that the property owners' share be divided evenly among all property owners. Ornamental lighting to be placed only at street intersections is NOT an option available to property owners and shall not be approved by the Board of Public Works.

STREET LIGHTS IN NEWLY-ANNEXED AREAS: Street lighting annexation commitments for newly-annexed neighborhoods will be fulfilled exclusively with 30' standard wooden or aluminum poles with wiring that meets each neighborhood's wiring covenant conditions. Newly annexed property owners who desire more street lights than an annexation commitment requires must petition for the additional lighting, or ornamental lighting, in accordance with the policies described above. The possibility of such a petition will not preclude installation of street lights required by a City annexation commitment. However, the City staff will work with neighborhood associations/petitions to avoid installation of unwanted types of street lights if a successful petition effort is likely.

Newly annexed neighborhoods which do not want any street lighting installed by the City per City annexation commitments may petition the Board of Public Works to prevent the installation. Such a petition may request no lights for a portion of the neighborhood or for the entire neighborhood. Regardless, however, such a petition must be signed by two-thirds of the property owners in the entire neighborhood association being annexed. While these petitions may be considered and approved, neighborhood streets intersecting with collector or arterial streets shall comply with the terms of the City's annexation commitment. The Board of works always reserves the right, based on public safety concerns, to install lights where necessary.

C. **ALLEY RECONSTRUCTION:** Property owners within the project's limits will pay 75% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 25% of these costs.

D. **WATER PROJECTS:** When petitions for water mains are received, Water Engineering shall prepare a conceptual design for local water mains to serve the petitioners. The cost of the conceptual design shall be estimated and allocated equally to the properties affected. Water Engineering shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Engineering shall then present the petitioner's options to the Board of Public Works and identify the financing option Water Engineering determines is most feasible. If the Board determines that Barrett Law funding of a water main is the most feasible, then they shall order Water Engineering to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local water main. Other financing options include up-front property owner payment or, very rarely, utility revenue with long-term property owner

reimbursement.

The property owners will pay for 100% of the main installation if they do not currently have City water. If oversizing of said main is required by the City, the City will pay for that portion of the water main that represents the oversizing. The City pays full cost for maintenance and replacement of existing public lines.

E. **SANITARY SEWER PROJECTS:** When petitions for sanitary sewers are received, Water Resources will prepare a conceptual design for a local sewer system to serve the petitioners. The cost of the conceptual design shall be estimated and allocated to the lots/units affected by the proposed system using the method established in IC-36-9-39. Water Resources shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Resources shall then present the petitioner's options to the Board of Public Works and identify the option Water Resources feels is most feasible. If the Board determines that Barrett Law funding of a sanitary sewer project is the most feasible, then the Board shall order Water Resources to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local sewer.

No set percentage of affected property owners is required to petition by Indiana law with sewer projects since, according to IC 36-9-39, the only test for proceeding with a sewer project is whether or not the "special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works."

Per IC 36-9-39, property owners may appear at the public hearing on the project to remonstrate against the project. The decision of the Board of Works, after weighing the evidence submitted by all parties at the public hearing shall be final.

Expenses associated with the engineering, construction and inspection of the local sewer project shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000 of cost allocated to each unit or lot whether or not connected. The Water Pollution Control Utility shall pay the remainder of the engineering, construction and inspection costs. No project shall proceed until funds have been budgeted for the Utility's share of the costs.

Property owners shall pay area connection and other applicable special fees when they apply for a tap permit. These fees are not considered to be engineering, construction or inspection costs and shall not be included in the $4,000 maximum assessment per lot/unit.

The City shall pay full cost for maintenance and replacement of existing public lines and shall assume the maintenance costs for the newly constructed public sanitary sewer lines once the construction project has been inspected and accepted by the Board of Public Works.

F. **STORMWATER DRAINAGE PROJECTS:** Upon receiving a petition for stormwater drainage improvements, Water Resources shall undertake a preliminary investigation and analysis of the situation precipitating the petition. The nature and degree of the problem will be determined, as will the affected properties and affecting parties. Components of the drainage system(s) in the area will be identified and evaluated as to their condition, capacity, performance, and adequacy. A conceptual design will be developed, identifying and differentiating local or lateral component improvements to serve the petitioners and any trunkline drain improvements that will also be necessary.

A local and/or lateral drain shall be defined as a drain that serves as an outlet for a local watershed or for a subbasin within a neighborhood or subdivision. An area trunkline is a drain that outfalls multiple local or lateral drains.

Expenses associated with the engineering, construction, and inspection of local and lateral drain improvement projects shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000.00 of cost allocated to each lot/unit to be drained. Water Resources shall pay the remainder of the engineering, construction, and inspection costs. There may be instances where the Utility considers oversizing a local line in anticipation of converting this line to an area *trunkline* sometime in the future; when this is the case, the property owners will be responsible only for the drain costs associated with their subbasin capacity needs, and the Utility will fund any additional costs due to the oversizing. No project shall proceed until funds have been budgeted for the Utility's share of the cost.

The basis for proceeding on a petitioned sewer or drainage improvement project according to IC 36-9-39 is not the percentage of affected property owner signatures on the petition, but, whether or not the special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works.

Per IC 36-9-39, property owners may appear at the public hearing on the project to remonstrate against the project. The decision of the Board of Stormwater Management, after weighing the evidence submitted by all parties at the public hearing, shall be final.

The City shall pay the full cost for maintenance and replacement of existing public lines and shall assume the maintenance costs for the newly constructed public storm sewer lines once the construction project has been inspected and accepted by the Board of Public Works.

III. MISCELLANEOUS

A. **EXCEPTIONS:** Exceptions to the standard petition process and cost-sharing policies include projects funded by federal or state community development or economic development grants, or as requested by City Council representatives with CEDIT neighborhood capital improvement funds. The Board of Public Works may consider any project on an individual basis and may make any adjustments that the Board deems necessary to complete a project.

B. **CALCULATING PROJECT COSTS:** Property owners will be assessed based on the guidelines described in the above categories. Also, any alley approaches that are being replaced, corner wing-walks that are being replaced or drainage structures that must be repaired as part of any project will be paid 100% by the City.

C. **ANNUAL REVIEW:** The Board of Public Works should review these policies and the petition procedure every year by January 31 and amend them, as the Board deems necessary.

5-8-02

BOARD OF STORMWATER MANAGEMENT

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport
Clerk

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport
Clerk

NORTH DRIVE – REED ROAD
STORM DRAINAGE IMPROVEMENT
RESOLUTION NO. 665-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of 2100 LF of 12"-54" storm sewer pipe, 10 manholes, 9 inlets, with all utilities adjustment and site restoration.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the titled "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project is of public utility and benefit.

Declares the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project does require the acquisition of property rights (permanent sewer and drainage easements) only if the design "Alternate" is chosen for construction.

Declares the engineer's estimate of "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project's total cost is $441,000.000.

Declares the "NORTH DRIVE – REED ROAD STORM DRAINAGE IMPROVEMENT" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 8 **DAY OF** May **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
, Member

, Member

HURSHTOWN RESERVOIR EMBANKANKMENT REPAIRS - 2002
RESOLUTION NO. 1106-01

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of improvements to the embankment of the Hurshtown Reservoir.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "HURSHTOWN EMBANKMENT REPAIRS – 2002 (project).

Declares the cost of the said improvements shall be paid by the funds from the City of Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire no property rights with this project.

States there are no costs associated with the purchase of any land or easements with this project.

Declares the engineer's estimate of the project's total cost is $361,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 15 DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross

ATTEST: _____
Carolyn S. Newport, Clerk

COVINGTON ROAD NORTH SANITARY SEWER PROJECT
RESOLUTION NO. 1501-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 723 lf of 8-inch sanitary sewer and appurtenances starting from an existing manhole located near the northwest corner (rear lot) of 5332 Covington Road and extending west along the rear property lines of the Covington Road properties to a point just east of North Bend Drive.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Covington Road North Sanitary Sewer."

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Sanitary Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $89,000.

Declares the maximum fee to be collected from the affected property owner are those shown on the Attachment "B"

APPROVED THIS 15 DAY OF May, 2002.

BOARD ~~OF~~ PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Member

ATTEST: _____
Carolyn S. Newport, Clerk

ATTACHMENT "A"

PROPERTY ACQUISITION SUMMARY

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NO.	SOURCE OF TITLE	PERM SEWER ESM'T		TEMP CONST. EASEMENT	
					AC	SQ FT	AC	SQ FT
Y	FRANK A. & J. ANN WEBSTER	5323 W. JEFFERSON BLVD.	3	Deed Record 649 Page 127		2782		831
Z	JAMES R. MENSCH	NO HOUSE AT PROPERTY	3-4	Instrument No. E7781		16618		6187
BB	MARGARET S. ASHBRIDGE	5400 COVINGTON RD.	3	Doc. 990011590		3806		1523
CC	JIMMIE E. & RUTH C. BENNETT	5510 COVINGTON RD.	3-4	Instrument No. 201088395		3795		1518

Cost Allocation Spreadsheet

5/10/2002

Attachment B Sanitary Sewer Petition Project Location: Covington Road North Sanitary Sewer

Parcel	Property Owner	Legal Description	Property Address	Acreage	Area Connection Fee	Total Area Connection Fee Assessment	No. of Taps	No. of Units	Unit Cost	P.O. Cost	City Utilities Cost	Total Property Cost	Comments
X	Louise L. Barber		5305 West Jefferson Blvd	1.58	$0.00	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	already connected to sanitary sewer
Y	Frank A. Webster		5323 West Jefferson Blvd	1.6	$1,190.00	$1,904.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	
Z	James R Mensch(Trustee)	Key #94-0135-0022	5500 West Jefferson Blvd	2.78	$1,190.00	$3,308.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	**mailing add:** Thomas Mensch 5418 Turnbridge Crossing Fort Wayne IN 46815
AA	Roger & Helen Stemen		5606 Covington Road	1.35	$1,190.00	$1,606.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	Pinkerton's buying property on contract from Stemens
EE	Jimmie & Ruth Bennet		5576 Covington Road	0.8	$1,190.00	$952.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	
DD	Martha Alice Riecke		5544 Covington Road	0.9	$1,190.00	$1,071.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	
CC	Jimmie & Ruth Bennet		5510 Covington Road	1.04	$1,190.00	$1,237.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	
BB	Margaret S. Ashbridge		5400 Covington Road	1.14	$1,190.00	$1,356.00	1	1	$4,000.00	$4,000.00	$8,714.00	$12,714.29	
KK	Anthony V & Toni R Mante		5332 Covington Road	1.67	$0.00	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	already connected to sanitary sewer
			sub-totals	12.86		$11,434.00	7	7		$28,000.00	$60,998.00	$89,000.00	

UNION CHAPEL ROAD, PHASE I
WATER MAIN EXTENSION
RESOLUTION NO. 1120-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,505 LF of 16" water main, 220 LF of jack and bored 24" steel casing, and all other appurtenances necessary for the water improvements as part of the Allen County Union Chapel Road project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "UNION CHAPEL ROAD – PHASE I"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" Property Acquisition Sheet.

States there is a cost of $15,000 for the purchase of any land easements associated with this project.

Declares the engineer's estimate of the project's total cost is $170,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 15 DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____

ATTEST: _____
Carolyn S. Newport, Clerk

Attachment "A"

Property Acquisition Sheet

Union Chapel Road - Phase I

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
28A	Christopher A. & Molly A. Pelkington	3403 Union Chapel Rd.	23		7,928		As of 5/10/02 - easement acquistion in progress	
28B	Christopher A. & Molly A. Pelkington	3404 Union Chapel Rd.	23A			4,487	As of 5/10/02 - easement acquistion in progress	
23B	Kenneth L. & Kay L. Bechler	2915 Union Chapel Rd.	23A		4,835		As of 5/10/02 - easement acquistion in progress	

IMPROVEMENT RESOLUTION NO. 6884-02
PUBLIC SIDEWALK CURB RAMP PACKAGE 7 - 2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
SIXTH DISTRICT AREA INTERSECTIONS / MISCELLANEOUS LOCATIONS WITHIN: BRANNING HILLS SEC. I, AND SEC. II ADD., TRIER RIDGE PARK SEC. I AMENDED, TRIER RIDGE PARK SEC. II, AND SEC. III, TRIER RIDGE PARK PHASE II, BY CONSTRUCTION / RECONSTRUCTION OF CORNER CURB RAMPS, AFFECTED CURBS, SIDEWALKS, DRAINAGE STRUCTURES, TOP SOIL, MULCHED SEEDING, AND FERTILIZATION OF TREES. ALL IN ACCORDANCE WITH THE PROFILE, DETAILS, DRAWINGS, AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF SAID CITY; AND SUCH IMPROVEMENT IS NOW ORDERED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 15 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6891-02

NORTHSIDE – LAREZ NEIGHBORHOOD CAPITAL IMPROVEMENT PROJECT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

COLUMBIA AVE FROM DEARBORN ST TO TECUMSEH ST; AND THE WEST SIDE OF HANNA ST FROM CREIGHTON AVE TO DEWALD ST; AND THE SOUTH SIDE OF DEWALD ST FROM HANNA ST WEST TO THE ALLEY; BOTH SIDES OF CREIGHTON AVE FROM HANNA ST WEST TO THE ALLEY BY RECONSTRUCTION OF CURBS, SIDEWALKS, YARDWALKS, DRIVE APPROACHES AS NEEDED AND CONSTRUCTION OF NEW ADA RAMPS.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 22nd day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6885-02
PUBLIC SIDEWALK CURBRAMP PACKAGE 8 - 2002

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BY ALTERING EXISTING AREAS, ELEMENTS AND FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND RAMPS AT VARIOUS LOCATIONS IN THE BODHE GROVE ADDITION, MAPLE DOWNS ADDITION, MAPLE TERRACE ADDITION, AND ALONG LYNN AVENUE, EAST OF ANTHONY.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 22nd day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

STREET LIGHT RESOLUTION

NUMBER 279-02

(B.L. #50035R)

HACIENDA VILLAGE STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Hacienda Village hereby deems it necessary to install an underground ornamental street light system on Hacienda Village, more specifically defined as:
Spanish Trail – from the north Right of Way of Trier Road in a northern direction to the south Right of Way of Stellhorn Road; Fiesta Way – from the east Right of Way of Spanish Trail in an eastern direction to the west Right of Way of Cadena Lane; Encanto Way – from the east Right of Way of Spanish Trail in an eastern direction to the west Right of Way of Cadena Lane; Cadena Lane – from the northern Right of Way of Spanish Trail in a north-eastern direction to the north Right of Way of Fiesta Way; Cadena Court - from the north Right of Way of Fiesta Way in a northern direction to the northern terminus of Cadena Court; Maravilla Drive – from the north eastern Right of Way of Spanish Trail in northeastern direction to the northern terminus of Bonita Place; Bonita Place – from the eastern terminus of Maravilla Drive in a southern direction to the eastern terminus of Fortuna Way; Fortuna Way – from southern terminus of Vida Drive in an eastern direction to the south end of Bonita Place; Vida Drive – from south Right of Way of Maravilla Drive in a southern direction to the beginning of Fortuna Way; Bello Drive - from the western Right of Way; of Spanish Trail in a northern direction to the east Right of Way of Goeglein Road; Corto Calle – from the northern right of way of Bello Drive in a northeastern direction to the northeastern terminus of Corto Calle; Boca Trail – from the southern Right of Way of Bello Drive in a southeastern direction to the southern terminus of Boca Trail; Cerco Court – from the northern Right of Way of Bello Drive in a northeastern direction to the northeastern terminus of Cerco Court; San Pedro Drive – from the north Right of Way of Trier Road in a northeastern direction to the southern Right of Way of Bello Drive; Fantasia Way – from the west Right of Way of San Pedro Drive in a western direction to the western terminus of Fantasia Way; Tranquilla Place – from the east Right of Way of Goeglein Road in an eastern direction to the eastern terminus of Tranquilla Place; all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon Hacienda Village Association. The balance of the project costs shall be assessed upon the City of Fort Wayne, Indiana, and to be paid by 2002 CEDIT Funds.

An Escrow Agreement shall be signed between Hacienda Village Association and The City of Fort Wayne prior to Notice to Proceed.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter – Ross, Member

ATTEST:

Carolyn Newport, Clerk

Dated this 22nd Day of May 2002

RECEIVED

Widner Paving Inc.
13220 PAGE ROAD
GRABILL IN. 46741
(260) 627-7296

To whom it may concern;

Widner Paving Inc. agrees with the Water. Dept of The City of Fort Wayne. That due to unfavorable weather conditions during April and May of 2002 Delays in obtaining asphalt and topsoil from our suppliers Widner Paving fell behind on the winter backlog project res 02-01.

Widner Paving agrees to be released from its portion of the contract in the southeast and southwest quadrants under the conditions stated by water maintenance.

1 Widner Paving is to be paid for any cuts previously completed.in southeast/southwest quads.

2Due to weather problems Widner Paving will not be charged liquidated damages on work to be completed on the northeast and northwest quadrants.

3That Widner Paving will make every effort to complete the winter backlog as soon as possible.

4 Widner Paving will continue to work on the ongoing package res02-02

THANK YOU

GAYLORD H[HERB] WIDNER JR

IMPROVEMENT RESOLUTION NO. 6882-02
CHICKASAW DRIVE: WHETSTONE LANE TO MARIAS DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
CHICKASAW DRIVE: WHETSTONE LANE TO MARIAS DRIVE BY SPOT REPLACEMENT OF CONCRETE PAVEMENT, DRIVE APPROACHES, CONCRETE CURB, SUBSURFACE DRAINAGE IMPROVEMENTS, STORM SEWER CASTINGS AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 22 day of May, 2002

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

WATER UTILITY CUTS
EMERGENCY REPAIR
EMERGENCY RESOLUTION NUMBER 89-160-11

WHEREAS, Upon receiving the Notice to Proceed for the Restoration of Winter Backlog Water Utility Cuts, Widner Paving, Inc., was given a 30 calendar day completion date being April 30, 2002. As of May 14, 2002 only 218 of the 685 cuts were restored, and;

WHEREAS, the remaining 467 cuts that have not been restored during the allotted 30 calendar day period is totally unacceptable, and;

WHEREAS, the Board has determined that an emergency exists in that the public safety is threatened by the continued non-restoration of these cuts, and;

WHEREAS, it has been determined to give another contractor the remaining 467 cuts located in the S.E. and S.W. Quadrants of the city of Fort Wayne. Cuts shall have a 30 calendar day completion date, and;

WHEREAS, Robbco, Inc., being the second lowest bidder for this contract will be invited to restore the remaining number of cuts with his established unit prices as Robbco is willing and able to take on this emergency project, and;

WHEREAS, the cost of said restoration could exceed One Hundred Forty Four Thousand and Zero cents ($144,000.00).

NOW, THEREFORE, the Board of Public works hereby declares and emergency exists for said Utility Cut Restoration and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID RESTORATION.**

APPROVED this 22 day of May, 2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
John Suarez, Member

By _____
Denise Porter-Ross

ATTEST: _____
Carolyn Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6888-02
MISCELLANEOUS CONSTRUCTION PACKAGE 2-B-02

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **SPOT CONCRETE REPAIR TO THE INTERSECTIONS OF PAWAWNA DRIVE AND MAPLECREST ROAD; PAWAWNA DRIVE AND KENASTON DRIVE; PAWAWNA DRIVE AND TONAWANDA COURT; HUBBARD RUN AND NORTH HAMPTON PLACE; SHADOWBROOK COVE CUL-DE-SAC; DEER COVE CUL-DE-SAC AND 6809 THROUGH 6835 THAMESFORD DRIVE; SPOT CONCRETE REPAIR AND STORM SEWER INSTALLATION TO THOREAU AVENUE.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 25 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

PLAZA & S COLONIAL –
WATER MAIN REPLACEMENT
RESOLUTION NO. 1109-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,015 LF of 6" and 8" water main, five (5) fire hydrants, 64 services and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "PLAZA & S COLONIAL – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $180,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 29th DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6844-02
BAYLOR DRIVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **BAYLOR DRIVE FROM SOUTH RIGHT OF WAY LINE OF DRAKE DRIVE TO THE NORTH PROPERTY LINE OF COLGATE DRIVE - RECONSTRUCTION OF CONCRETE STREET AND DRIVE APPROACHES; NEW SUBSURFACE DRAINAGE; ADA CURB RAMPS.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 29 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6878-02
LEESBURG ROAD: MAIN STREET TO SPRING STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **TO IMPROVE LEESBURG ROAD FROM NORTH PROPERTY LINE OF MAIN STREET TO SOUTH PROPERTY LINE OF SPRING STREET BY CRACK & SEATING EXISTING CONCRETE PAVEMENT, ASPHALT MILLING, ASPHALT RESURFACING, RECONSTRUCTION OF NEW CURB, CONCRETE DRIVE APPROACHES, CONCRETE SIDEWALK, NEW ADA CURB RAMPS AND MULCHED SEEDING RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. .

Adopted, this 29 day of May, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport
Clerk

EMERGENCY RESOLUTION NUMBER 89-180-30
CLUBVIEW DRIVE

WHEREAS, an existing 15" RCP sanitary line has collapsed, east of Clubview Drive and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 15" RCP storm line and placement of an inlet is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T & E Inc., Allstar Inc., Liberty Const. and Geiger Inc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 5th day of June ,2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
Denise Porter Ross, Member

By _____
John Suarez, Member

ATTEST: _____
Carolyn Newport, Clerk

CLUBVIEW DRIVE
SANITARY SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Remove and replace the collapsed section of existing 15" sanitary sewer line, including any service taps. Repair and re-shape existing ditch. Repair and replace existing parking lot. The removal and replacement of any signs, if necessary. Soil conditions may be very poor. This work may involve undercutting the bottom of trench and placement of stone to stabilize bedding. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, saw cutting of asphalt or concrete, any required bypass pumping and/or trench dewatering, resetting of existing drive pipes, removal and replacement of asphalt road, removal and replacement of any and all incoming pipes, proper backfilling and proper compaction, use of flowable fill, jack and bore (if used), and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Performance and Guaranty Bond
4. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
5. Contractor shall be required and responsible for placing and maintaining temporary barricades.
6. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or

relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

CLUBVIEW DRIVE
SANITARY SEWER EMERGENCY REPAIRS

BASE BID:
ITEM NO. 1

All costs to complete all work to remove and replace the collapsed section of existing 15" RCP sanitary line. Remove and replace existing asphalt pavement or parking lot.
Remove and replace all connected pipes.

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2002.

FROM_____
Contractor

BY_____

IMPROVEMENT RESOLUTION NO. 6893-02

Ardmore Avenue: Lower Huntington Road to Covington Road

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **ARDMORE AVENUE FROM LOWER HUNTINGTON ROAD TO COVINGTON ROAD BY ASPHALT PAVEMENT MILLING, PATCHING, WEDGE AND LEVELING, RESURFACING MARKING AND OTHER RELATED ROADWAY WORK.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 5 day of June, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

EMERGENCY RESOLUTION NUMBER 89-180-30
ST. JOE ROAD

WHEREAS, an existing 18" CMP storm line has collapsed under St. Joe Road at Rebecca Street, and is undermining St. Joe Road, and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 18" CMP storm line and placement of an inlet is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T & E Inc., Allstar Inc., Liberty Const. and Geiger Inc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 5th day of June ,2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
Denise Porter Ross, Member

By _____
John Suarez, Member

ATTEST: _____
Carolyn Newport, Clerk

ST. JOE ROAD
STORM SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Remove and replace the existing 18" storm sewer line, from the existing open end on the east side of St. Joe Road to a new open end on the west side of St. Joe and replace with new 24" RCP pipe. Place new inlet with grate, on east end of 24" RCP. Replace and reconnect any and all existing storm lines connecting to the existing 18" storm line, to the new 24" RCP pipe. Replace the existing CMP pipe(s), under Rebecca Street and St. Joe Road. Pour paved side ditch on north side of Rebecca Street, to new inlet. Repair and or replace existing field tile under St. Joe road if necessary. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, any required bypass pumping and/or trench dewatering, removal and replacement of guard rail, removal and replacement of Rip Rap, resetting of inlets, removal and replacement of asphalt road, removal and replacement of any and all incoming pipes, proper backfilling and proper compaction, use of flowable fill, jack and bore (if used), and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Performance and Guaranty Bond
4. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
5. Contractor shall be required and responsible for placing and maintaining temporary barricades.
6. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

ST. JOE ROAD
STORM SEWER EMERGENCY REPAIRS

BASE BID:
ITEM NO. 1

All costs to complete all work to remove and replace the existing 18" storm line with 24" RCP, place new inlet on the east side of St. Joe Road and reconnect existing storm drains. Remove and replace existing asphalt pavement. Remove and replace all connected pipes.

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2002.

FROM_____
Contractor

BY_____

KIRKWOOD PARK – SPRINGFIELD AVENUE & ROLSTON STREET DRAINAGE IMPROVEMENT
IMPROVEMENT RESOLUTION NO. 1517-2002

WHEREAS, a chronic stormwater drainage problem exists in Kirkwood Park in the 2500 and 2600 blocks of Springfield Avenue and the 3400 block of Rolston Street; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, improvement involves the installation of 605 LF of 6-inch and 12-inch storm sewer and 8 inlets; and

WHEREAS, Water Resources has received invitational bids for said improvement from the following contractors:

Earth Construction, Inc.	**$29,320**
All Star Construction and Excavating	**$40, 100**
Geiger Developing, Inc.	**$43,116**

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to EARTH CONSTRUCTION, INC. in the amount of $29,320.

Adopted, this 12 day of June, 2002.

BOARD OF STORMWATER MANAGEMENT

Ted Rhinehart
Chairman

John Suarez
Member

Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

EARTH CONSTRUCTION INC.

SEWERS • GRADING *"We Do Anything in Earth"* STREETS • EXCAVATING

4002 ENGLETON DRIVE
FT. WAYNE, IN 46804
PHONE (219) 436-7887
FAX (219) 436-7696

KIRKWOOD PARK

SURFACE DRAINAGE PROJECTS

LOCATION	ESTIMATED COST
	6" PIPE
2632 Springfield	$10,020.00
Rolston/Springfield	$19,300.00
Total	$29,320.00

Note: Added one hand dug inlet to the Springfield portion of the project. Also added some hand excavation/grading in the backyards on Rolston. Hand dug inlet diameters have been reduced in size.

STARTING DAY Month of June ,2002

Company Earth Construction, Inc.

Date:06-07-2002

Michael C. Evertson
President

IMPROVEMENT RESOLUTION NO. 6892-02
LIBERTY DEVELOPMENT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

LIBERTY STREET: CANAL TO COOMBS – CURBS ONLY BOTH SIDES.
LIBERTY STREET: COOMBS TO BEQUE STREET – SIDEWALK AND CURBS ON NORTH SIDE – SIDEWALK ONLY ON SOUTH SIDE UP TO RETAINAGE WALL.
LIBERTY STREET: HARMAR TO BEQUE STREET: CURBFACE SIDEWALK.
HARMAR: BERRY TO LIBERTY: CURB AND SIDEWALK EAST SIDE ONLY.
BEQUE STREET: BERRY TO LIBERTY: SIDEWALK AND CURB FROM BERRY TO THE ALLEY ON THE WEST SIDE.
BERRY STREET: HARMAR TO BEQUE: SIDEWALK ONLY NORTH SIDE.
BERRY STREET BETWEEN HARMAR AND BEQUE: SPOT CURB AND SIDEWALK REPAIR SOUTH SIDE IN FRONT OF NEW HOMES.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 12 day of June, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6886-02

COLDWATER ROAD & WASHINGTON CENTER ROAD INTERSECTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

THE INTERSECTION OF COLDWATER ROAD & WASHINGTON CENTER ROAD BY CEMENT CONCRETE PAVEMENT REHABILITATION (REMOVAL AND RECONSTRUCTION); TRAFFIC CONTROL SIGNAL HARDWARE UPGRADE; PAVEMENT MARKING AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12 day of June, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
APPROPRIATING AND CONDEMNING REAL AND PERSONAL PROPERTY
FOR USE BY THE CITY OF FORT WAYNE, INDIANA
FOR THE ACQUISITION OF THE UTILITY CENTER, INC.
D/B/A AQUASOURCE NORTH SEWER AND WATER SYSTEMS

RESOLUTION NUMBER: **89-183-6**

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), finds that customers of Utility Center, Inc. d/b/a AquaSource ("AquaSource") located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("Customers") would receive higher quality, lower cost water and wastewater utility service if they were customers of the City; and

WHEREAS, the Board has determined that, to best serve the Customers, the City should acquire the water and wastewater utility property of AquaSource identified in Exhibit A (system water utility property) and Exhibit B (system wastewater utility property) attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("North System"); and

WHEREAS, the City has made numerous attempts to persuade AquaSource to negotiate a purchase price for the North System, but AquaSource has, to date, been unwilling to negotiate in any manner with the City to determine the appropriate price to pay for the North System; and

WHEREAS, due to AquaSource's lack of response, to best serve the Customers it is necessary to condemn and appropriate the North System; and

WHEREAS, the City has determined that it is beneficial to proceed with such condemnation and appropriation; and

WHEREAS, IC 32-11-1.5 provides a mechanism pursuant to which the Board may proceed with such condemnation and appropriation; and

WHEREAS, the Board has determined that it is of public utility and benefit and in the best interests of the City of Fort Wayne to proceed to condemn and appropriate the North System under the mechanism set forth in IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5-3 requires the adoption by the Board of a resolution expressing the desire of the Board to condemn and appropriate such interests; and identifying such real and personal property as may be injuriously or beneficially affected; and

WHEREAS, IC 32-11-1.5-3 requires the Board to publish notice of the adoption of said resolution and of the date and time and place at which the Board shall receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby declares that the acquisition of AquaSource's North System is beneficial and of public utility benefit.

2. That pursuant to IC 32-11-1.5-3, the Board hereby declares that it is beneficial to condemn and appropriate AquaSource's North System.

3. That the Board declares that the real and personal property that may be injuriously or beneficially affected by such condemnation and appropriation includes the property described on Exhibit A and Exhibit B attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana.

4. That the Board hereby sets the 3rd of July, 2002, at 9:00 a.m., as the date, time and place at which the Board shall receive or hear remonstrances from persons interested in or affected by this proceeding.

5. That at the hearing set herein for remonstrance, the Board shall consider any such remonstrance and shall then take final action confirming, modifying, or rescinding this resolution.

6. That the Clerk of the Board shall and hereby is directed and authorized to send notice of said hearing to Utility Center, Inc. d/b/a AquaSource, and publish notice of this resolution in at least one newspaper of general circulation in the City of Fort Wayne once each week for two (2) consecutive weeks, the last publication to be at least ten (10) days before July 3, 2002, the date the Board will hear remonstrances from persons interested in or affected by this proceeding.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

Adopted this 12 day of June, 2002.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

John Suarez

Denise Porter-Ross

ATTEST:

Carolyn S. Newport, Clerk

279847

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA CONTINUING ITS DECISION ON RESOLUTION 89-211-1 CONFIRMING RESOLUTION 89-183-6 OF THE BOARD OF PUBLIC WORKS APPROPRIATING AND CONDEMNING REAL AND PERSONAL PROPERTY

RESOLUTION NUMBER: _____

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), adopted a resolution entitled *Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A AquaSource North Sewer and Water Systems Resolution No. 89-183-6* ("Original Resolution"); and

WHEREAS, the Board adopted a resolution confirming the Original Resolution entitled *Confirming Resolution 89-183-6 of the Board of Public Works Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of Utility Center, Inc. D/B/A AquaSource North Sewer and Water Systems Resolution No. 89-211-1* ("Confirming Resolution"); and

WHEREAS, in the Confirming Resolution the Board authorized the City's officers to take such action, enter into such agreements and engage such professionals as are necessary, desirable or appropriate to accomplish the purposes of the Confirming Resolution, including without limitation, due diligence and other alternate evaluation process necessary for the condemnation of the water and wastewater utility property of AquaSource identified in Exhibits A and B to the Confirming Resolution and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("North System"); and

WHEREAS, IC 32-24-2-8 requires the Board to award damages sustained and assess the benefits accruing to each piece of property to be acquired and to serve written notice of the same upon the owner of each such piece of property, and, in such notices, to name the date on which the Board shall receive or hear written remonstrance from persons with regard to their respective awards or assessments, after such time the Board shall, pursuant to IC 32-24-2-10, sustain or modify such awards or assessments; and

WHEREAS, the City's officials have determined that appraisals are appropriate for determining the fair market value of the North System; and

WHEREAS, the Board has determined that it should not purchase the North System for a price greater than the average of two (2) appraisals performed by appraisers with the necessary skills to qualify them for business valuation; and

WHEREAS, upon completion of the appraisals, the Board intends to review the results and determine the damages sustained and benefits accrued from the condemnation of the North System and at that time serve written notice upon the owners of the affected properties, and in such notice, name the date on which the Board shall receive or hear written remonstrances from persons with regard to their respective awards or assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board authorizes the City's officers to take such action, enter into such agreements and engage such professionals as are necessary, desirable or appropriate to accomplish the purposes of this resolution, including without limitation, the performance of two (2) appraisals of the fair market value of the North System.

2. That the named remonstrator/property owners (as shown on Exhibit C to the Confirming Resolution, incorporated herein by this reference) are required to submit, in good faith, to appraisal by two (2) qualified appraisers. Said appraisers will be chosen and employed by the Board and will have necessary skills to qualify them for business valuation.

3. That the appraisers shall return their separate appraisals to the authorized City officers within thirty (30) days after the date of their appointment.

4. That the City officers will provide the Board with a copy of both appraisals.

5. That, upon receipt of the appraisals, the Board will award the damages and assess the benefits accruing to each piece of property to be acquired from the affected property owners.

6. That the Clerk of the Board shall and hereby is, upon receipt of the award of damages and assessment of benefits, directed and authorized to send notice containing the amount of the award or assessment and the date of the hearing on remonstrance to those persons listed on Exhibit C attached hereto.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

APPROVED THIS 18th DAY OF June, 2003.

BOARD OF PUBLIC WORKS

BY: Robert Kennedy
Robert Kennedy, Chairman

BY: _____
John Suarez, Member

BY: Denise Porter-Ross
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

788840

RESOLUTION NO. 89-14-5

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM THE CITY OF FORT WAYNE, INDIANA, REDEVELOPMENT DISTRICT REVENUE BONDS OF 2002

==========

WHEREAS, the Redevelopment Commission (the "Commission") of the City of Fort Wayne, Indiana (the "City"), will consider issuing the City of Fort Wayne, Indiana, Redevelopment District Revenue Bonds of 2002, in one or more series, (the "Bonds"), for the purpose of providing funds to provide for all or any portion of the projects described on Exhibit A attached hereto and incorporated herein by reference (collectively, the "Project"); and

WHEREAS, a form of bond resolution, authorizing the issuance of City of Fort Wayne, Indiana, Redevelopment District Revenue Bonds, in a principal amount not to exceed Ten Million and 00/100 Dollars ($10,000,000.00) (the "Bonds"), to finance the Project (the "Bond Resolution"), shall be prepared and presented to the Commission; and

WHEREAS, certain preliminary costs in financing the Project, have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Bonds; and

WHEREAS, the City reasonably expects such preliminary costs of the Project be reimbursed from proceeds of the Bonds; and

WHEREAS, Board desires to declare the official intent of the City and the Commission, pursuant to I.C. 5-1-14-6(c) and §1.150-2 of the Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"), that said preliminary costs be reimbursed from the proceeds of the Bonds;

IMPROVEMENT RESOLUTION NO. 6896-02

INDIANA AVENUE & RUDISILL BOULEVARD INTERSECTION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

INDIANA AVENUE & RUDISILL BOULEVARD INTERSECTION BY INSTALLING A NEW TRAFFIC CONTROL SIGNAL SYSTEM.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26 day of June, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6894-02
PUBLIC SIDEWALK CURB RAMP INTERSECTIONS 2002 PKG 1

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **LOFTON WOODS ADDITION AND THE KNOLLS BY ALTER EXISTING AREAS, ELEMENTS AND FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS, SIDEWALKS AND ALLEYS, RELOCATING UTILITIES AND CONSTRUCTING PUBLIC SIDEWALK CURB RAMPS IN COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 26 day of June, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: PUBLIC SIDEWALK CURB RAMPS RES. NO.:6894-02
INTERSECTION 2002 PKG - 1
DATE: 6/20/02 B.O. NO.: 142-01

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	1640	SY	5.00	8200.00
2.	Removal of Pavement	625	SY	6.00	3750.00
3.	Removal of Curb	1030	LF	5.00	5150.00
4	Concrete Curb Type - III	275	LF	15.00	4125.00
5.	Concrete Curb Type I-B	725	LF	15.00	10875.00
6.	Concrete Wingwalk And Curb Ramps	1025	SY	34.00	34850.00
7.	Concrete Sidewalk (4")	550	SY	24.00	13200.00
8.	Cement Concrete Pavement Plain, 6" (Inclueds Type I - A Curb)	625	SY	32.00	20000.00
9.	"J" Bolts (undistributed)	85	EA	8.00	680.00
10.	Adjust Casting To Grade	3	EA	100.00	300.00
11.	New Casting Type C Adjusted To Grade	21	EA	400.00	8400.00
12.	New Casting Type F Adjusted To Grade	1	EA	400.00	400.00
13.	New Catch Basin Type I-C **(Incidental Construction)**	1	EA	2000.00	2000.00
14.	Water Valves Adjusted To Grade	5	EA	40.00	200.00
15.	Bed Course Material	170	TON	12.00	2040.00
16.	Top Soil	140	TON	15.00	2100.00
17.	Mulched Seeding	385	SY	2.50	962.50
18.	Construction Signs Type "A"	18	EA	100.00	1800.00
19.	Maintenance of Traffic	1	LS	6000.00	6000.00
20.	Mobilization and Demobilization	1	LS	6500.00	6500.00
21.	Line Thermoplastic, solid white,Crosswalk, 6" line	125	LF	1.60	368.00
22.	Removal of cross walk 6"	50	LF	1.35	67.50

SUB-TOTAL	131968.00
E&I @16%	21114.88
TOTAL:	153082.88

WATER MAIN INTERCONNECTIONS – CONTRACT # 2 RESOLUTION NO. 1103-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,375 LF of 6" and 8" water main, one (1) fire hydrant, and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WATER MAIN INTERCONNECTIONS – CONTRACT # 2"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $118,413.68.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 26 DAY OF June, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

GENERAL CURED IN PLACE 2002 SEWER REHABILITATION

RESOLUTION NO. 678-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the rehabilitation of approximately 17,387 lft. +/- of 12", 15", 18", 20", 24" and 36" combination sewer, using the Cured-in-Place method.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "GENERAL CURED IN PLACE 2002 SEWER REHABILITATION" . Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue)/ Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $1,400,000.

APPROVED THIS 26 DAY OF June, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA
FOR THE INSTALLATION OF FIRE HYDRANTS ON MAGNAVOX WAY

RESOLUTION NUMBER 88-196-35

WHEREAS, the Fort Wayne Fire Department and the Fort Wayne Water Utility are committed to providing fire suppression services to properties within their respective service areas in order to control or reduce the loss of property; and

WHEREAS, in order to improve the ability to fight fires, the Fire Department is recommending the installation of additional fire hydrants on Magnavox Way south of Illinois Road, an area within the Fort Wayne City limits; and

WHEREAS, the Water Utility concurs with the request and has determined three appropriate locations within the public right of way;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PULBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA AS FOLLOWS:

That the Water Utility is hereby ordered to install three additional fire hydrants on Magnavox Way at locations determined by the Water Resources Department;

That the installation is to be carried out by the Water Maintenance and Service Department with funding from the Water Utility Capital budget for 2002;

That the hydrants, once installed, shall be mapped and shall become part of the public water distribution system;

That the Fort Wayne Civil City shall pay annual fire hydrant fees for the additional three (3) hydrants based on applicable rate schedules.

That this resolution shall be in full force and effect from and after its adoption by the Board of Public works of the City of Fort Wayne, Indiana.

Adopted this 26 day of June, 2002.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart, Chair

John Suarez, Member

, Member

ATTEST

Carolyn S. Newport, Clerk

SHOAFF PARK – FEEDER MAIN
RESOLUTION NO. 1098-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,725 LF of 12" water main, three (3) fire hydrants, and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "SHOAFF PARK – FEEDER MAIN"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" Property Acquisition Sheet.

States there is no cost for the purchase of any land easements associated with this project.

Declares the engineer's estimate of the project's total cost is $116,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 3 DAY OF July, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Attachment "A"

Property Acquisition Sheet

Shoaff Park Feeder Main

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
1	City of Fort Wayne - Shoaff Park	St Joe Center Road	3-7	DR 501 - pg 80-82, DR 510 - pg 398	34,354	50' - parallel	Parks Dept. Board has approved	

FOREST PARK COMBINATION SEWER REHABILITATION

RESOLUTION NO. 650-01

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the rehabilitation of approximately 7,336 lft. +/- of 15", 18", 24" and 30" combination sewer, using the Cured-in-Place method. This project will also consist of Spot Repairs.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "FOREST PARK COMBINATION SEWER REHABILITATION" . Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue)/ Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $1,033,000.

APPROVED THIS 3 DAY OF July, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

EMERGENCY RESOLUTION NUMBER 89-209-30 (3)
OSAGE AVENUE

WHEREAS, two existing 24" VCP combination sewer pipes have collapsed, in parking lot south of Richardson and in the alley south of Howell;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 24" VCP combination line and placement of two manholes is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T & E Inc., Allstar Inc., Liberty Const. and Fleming Inc. . were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 3rd day of July ,2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By Denise Porter Ross
Denise Porter Ross, Member

By John Suarez
John Suarez, Member

ATTEST: Carolyn Newport
Carolyn Newport, Clerk

OSAGE STREET
SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to remove and replace 2 existing manholes, any required bypass pumping and/or trench dewatering, removal and replacement of any and all incoming pipes, all connections, elbows, cleanouts, and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne WPC Engineering Department specifications and standard drawings adopted April 26, 1989.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
8. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction, including during the directional drilling.
9. Contractor shall take all precautions to prevent damages to the existing sanitary sewer, from sanitary sewage, entering or leaving the construction site from the existing sanitary sewer and from ground water. If damage does occur from one of the above sources, the Contractor shall make such repairs or replacement or re-build such parts of the existing sewer, sludge line, or lime sludge line as determined by the engineer.
10. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
11. Contractor shall be responsible for all facets of the work, including but not limited to supervision, labor, equipment and any materials necessary to remove existing brick

manholes and replace with new 48" manholes and associated incoming and outgoing pipes for a distance of 10' +/-.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition.

PROPOSAL FOR OSAGE STREET
EMERGENCY REPAIRS

ITEM NO. 1
BASE BID: All costs to complete all work to remove 2 existing brick manholes and replace with 2 new 48" manholes and associated incoming or outgoing pipes for a distance of 10' +/-. Work shall include all restoration necessary to restore area to existing or better condition, including but not limited to asphalt pavement, concrete pavement, stone, seed, etc..

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2002.

FROM_____
Contractor

BY_____

EMERGENCY RESOLUTION NUMBER 84-309-30(4)

ESSEX GROUP - WATER MAIN INSTALLATION

WHEREAS, a public 12" water main has broken under building #8 on the Essex Group building site;

WHEREAS, said main break could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 12" water main is beyond the capability of the Water Maintenance & Service Department to perform, (proposed resolution may require 1,550 LF of 12" water main and include a bore of the St Mary's River) and;

WHEREAS, All Star Inc., Bercot Inc., Liberty Const. and Fox Contr. shall be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs shall exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said water repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 3rd day of July,2002.

BOARD OF PUBLIC WORKS

By_____
Ted Rhinehart, Chairman

By_____
Denise Porter Ross, Member

By_____
John Suarez, Member

ATTEST:_____
Carolyn Newport, Clerk

ESSEX GROUP – WATER MAIN INSTALLATION
WATER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following proposed bid - subject to final design changes:

ITEM NO. 1

This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to install approximately 1,750 LF of 12" water main, including an approximate 230' bore of the St Mary's River, all work to abandon the existing water main and reconnect to the Essex Group fire service main, all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Development Criteria/Standards Manual specifications and standard drawings adopted January 1, 2002.
2. Obtain and be responsible for all barricade, traffic control, street closing and right-of-way cut permits.
3. Payment Bond
4. Performance and Guaranty Bond
5. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
6. Contractor shall be required and responsible for placing and maintaining temporary barricades.
7. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
8. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction, including during the directional drilling.
9. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
10. Contractor shall be responsible for all facets of the work, including but not limited to supervision, labor, equipment and any materials necessary to construct the new water main and abandon the existing water main.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, trees, shrubs, bushes, etc., is necessary. Should temporary removal or

relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition.

PROPOSAL
ESSEX GROUP – WATER MAIN INSTALLATION
WATER EMERGENCY REPAIR SPECIFICATIONS

ITEM NO. 1
BASE BID:

All costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to install approximately 1,750 LF of 12" water main, including an approximate 230' bore of the St Mary's River, all work to abandon the existing water main and reconnect to the Essex Group fire service main. Work shall include all restoration necessary to restore area to existing or better condition, including but not limited to asphalt pavement, concrete pavement, stone, trees, seed, etc..

LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2002.

FROM_____
Contractor

BY_____

IMPROVEMENT RESOLUTION NO. 6898-02

THE LANDING

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **COLUMBIA STREET FROM HARRISON STREET TO CALHOUN STREET AND HARRISON STREET FROM PEARL STREET TO DOCK STREET BY SIDEWALK, BRICK PAVER AND TREE GRATE RECONSTRUCTION / REHABILITATION; CURB RAMP CONSTRUCTION; STREET LIGHTING UPGRADE; LANDSCAPING AND OTHER RELATED ROADWAY WORK.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 10 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

RESOLUTION OF THE BOARD OF PUBLIC WORKS
TO ESTABLISH AREA CONNECTION FEES FOR THE NEUHAUS INTERCEPTOR EXTENSION
WITHIN A PORTION OF THE SPY RUN SERVICE AREA

WHEREAS, an area at the western edge of the City has experienced growth that resulted in the Board authorization of the construction of the Neuhaus Interceptor Sewer Extension Phase One, and

WHEREAS, on the 5th day of September, 2001, the Board of Public Works passed a Resolution that established an Equivalent Residential Unit (ERU) as an acceptable unit of measure for determining Area Connection Fees for real estate to be served by the City of Fort Wayne Waste Water Disposal Plant, and

WHEREAS the Board of Public Works desires to establish specific Equivalent Residential Unit (ERU) area connection fees for real estate connecting to the City of Fort Wayne Waste Water Disposal system served by the aforementioned sewer facilities as a means to defray the cost of constructing the Neuhaus Interceptor Sewer Extension Phase One.

NOW THEREFORE BE IT RESOLVED that the Board of Public Works adopts the Equivalent Residential Unit area connection fees as set forth below for all real estate contained within the Neuhaus Interceptor Extension Service Area as described on attached Exhibit A. Said fees shall apply to all land uses connecting to any sewer facilities transporting sewage to the extension of the Neuhaus Interceptor sewer facilities described above.

EQUIVALENT RESIDENTIAL UNITS ASSESSMENTS
NEUHAUS INTERCEPTOR SEWER EXTENSION SERVICE AREA PHASE I

Equivalent Residential Unit (ERU) connection fees within the area defined as the Neuhaus Interceptor Sewer Extension Phase I Service Area shall be established as provided herein for the Shed Area(s) defined on said Exhibit A. Said fees shall be collected prior to connection to the facilities described herein.

The ERU fees for each Shed Area are set forth below:

Shed A1 $975.00

The aforesaid ERU fee includes fees associated with the Spy Run Service Area, most recently established by Resolution 89-32-18 and passed by the Board of Public Works on February 6, 2002 for real estate within the boundaries of Exhibit A. Payment of the ERU fee shall satisfy payment of the Spy Run Service Area Assessment Fee for the affected real estate.

In the event a parcel of real estate served by the facilities herein described is near or crosses a Shed Area boundary as identified in Exhibit A, the routing of the local and receiving sewer shall determine the Shed Area for purposes of determining the applicable ERU fee.

BE IT FURTHER RESOLVED that as additional infrastructure is added to the sewer facilities to serve real estate included in the Neuhaus Interceptor Sewer Extension Phase I Service Area, or modifications are made to said Service Area, or facilities therein necessitating an adjustment to the connection fees, amended or additional ERU's will be established for the specific areas served by the sewer facilities.

BE IT FURTHER RESOLVED that the Equivalent Residential Unit connection fee may be adjusted for inflation on or before February of each year based on the increase of the December to December value of the All Urban Consumer Price Index.

PASSED THIS 10 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Denise Porter-Ross

Attest: Carolyn S. Newport, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez, and Denise Porter-Ross,** as Members of the Board of Public Works of the City of Fort Wayne, and **Carolyn Newport**, Clerk of the Board of Works and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 5th day of July 2002.

Michelle R. Hadley
Notary Public
Resident of Allen County

My Commission Expires:

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

HE
STRICT

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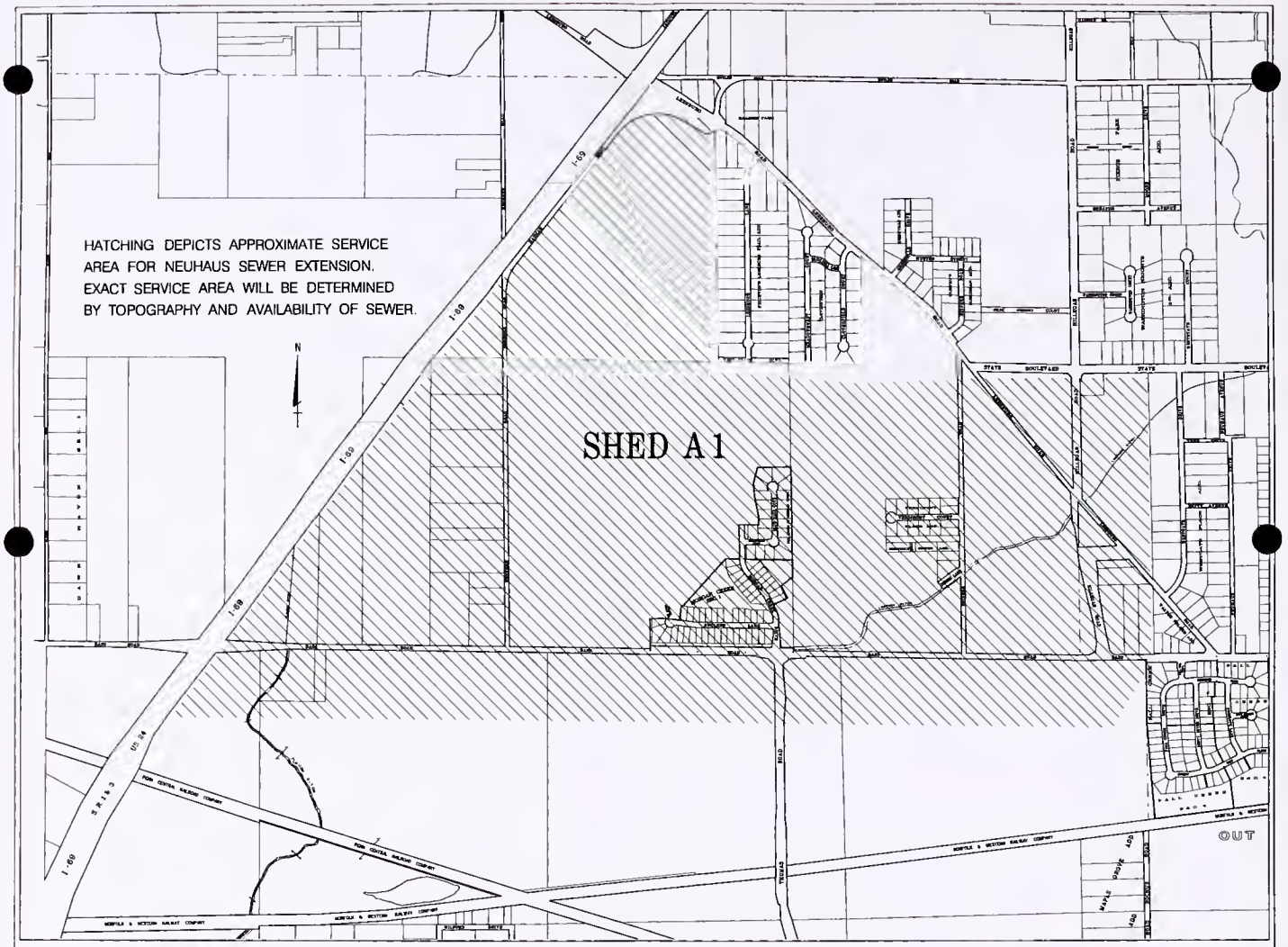


NEUHAUS SEWER EXTENSION SERVICE AREA

MAP EXHIBIT A

19-JUN-2002
1000.000000 1 000000

RESOLUTION NO. 89-213-8

CONSENT FOR PROPERTY TO BE SERVED BY THE ALLEN COUNTY REGIONAL WATER AND SEWER DISTRICT

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana:

WHEREAS, a service area known as the Arcola Service Area is established by a Water Pollution Control Treatment Agreement between the Fort Wayne Board of Public Works and the Allen County Regional Water and Sewer District dated June 4, 1986 and amended by an Amendment dated May 1, 1998 (Agreement);

WHEREAS, the owner of property described in Exhibit "A" plans to construct a new single-family home on said property. The property is commonly identified as 2402 O'Day Road and is outside the designated Arcola service area;

WHEREAS, the owner of said property has requested to be allowed to connect to the Arcola sewer system and it is the desire of the Allen County Regional Water and Sewer District Board to provide sewer service via connection to a private sewage line constructed or to be constructed by Roy P. Terry pursuant to the Sewer Connection Agreement Resolution No. 88-325-22 of the Board of Public Works of the City of Fort Wayne, Indiana;

NOW THEREFORE be it resolved that:

The Board of Public Works does hereby give its consent and agreement to allow the Allen County Regional Water and Sewer District to provide sewer service to the property described in Exhibit "A" through the Arcola collection system as outlined in the attached Sewer Connection Agreement.

The service area of the Arcola system as set out in the original Agreement is unchanged by this consent and approval.

The consent and approval granted herein does not and shall not be deemed to be an amendment or waiver of any of the terms and conditions of the Agreement, and the Agreement remains in full force and effect, unaffected by this consent.

APPROVED THIS 10 DAY OF July, 2002

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Prepared by Mary Jane Slaton, Manager of Development Services

ORIGINAL

SEWER CONNECTION AGREEMENT

WHEREAS, Homer Ohlwine ("Ohlwine") is the owner of that certain parcel of real estate more particularly described on **Exhibit A**, attached hereto and incorporated herein by reference (hereinafter the "Ohlwine Real Estate"); and

WHEREAS, the Allen County Regional Water and Sewer District (the "Sewer District") previously entered into a Sewer Connection Agreement (the "Terry Sewer Connection Agreement") with Roy P. Terry (hereinafter "Terry"), which Terry Sewer Connection Agreement was approved by Resolution No. 88-325-22 of the Board of Public Works of the City of Fort Wayne (the "Board of Works Resolution"); and

WHEREAS, the Terry Sewer Connection Agreement and the Board of Works Resolution are recorded at Document No. 201079302 in the Office of the Recorder of Allen County, Indiana; and

WHEREAS, the Terry Sewer Connection Agreement prohibits further taps into the private sewage line constructed or to be constructed by Terry pursuant to the Terry Sewer Connection Agreement without both the approval of the City of Fort Wayne, Board of Public Works, and the Sewer District; and

WHEREAS, Terry has consented to Ohlwine tapping into the private sewer line to be installed by Terry pursuant to the Terry Sewer Connection Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Sewer District agrees with Terry and Ohlwine as follows:

1. Subject to the prior written approval of the Board of Public Works of the City of Fort Wayne, the Ohlwine Real Estate may tap into the private sewer line installed or to be installed by Terry pursuant to the Terry Sewer Connection Agreement. By execution of this Agreement, Terry consents to Ohlwine tapping into the private sewer line installed or to be installed by Terry pursuant to the Terry Sewer Connection Agreement.

2. Terry and Ohlwine each understand that the private sewer line constructed or to be constructed by Terry pursuant to the Terry Sewer Connection Agreement shall continue to be a private line not accepted for maintenance or responsibility by the Sewer District, and that any repair, replacement, or maintenance thereof shall be at the sole cost, expense, and obligation of Terry and/or Ohlwine.

3. Terry and Ohlwine each understand that the private sewer line constructed or to be constructed by Terry connects into a force main of the Sewer District, and each of them assumes all risk associated therewith.

4. Terry and Ohlwine each understand and agree that any connection made by them shall only be for one single family residential dwelling on each of their respective parcels of real estate, and that the private sewer line may not serve or be used by any other properties or used for purposes other than for each of their single-family residential dwellings without the prior written approval of both the Sewer District and the City of Fort Wayne, Board of Public Works, which approvals may be withheld in their sole discretion. Further, Terry and Ohlwine each understand and agree that at the time of any tap-in by either of them, they shall each be required to pay the usual and customary residential tap-in fee of the Sewer District, as established by its Rate Ordinance then in effect. Ohlwine agrees for the benefit of Terry that at the time of his connection into the private line constructed by Terry, that Ohlwine shall then pay to Terry $2.65 per lineal feet of the private sewer line existing from that point of connection (i.e., the Ohlwine residential tap connection point) to the point of connection of the said private line at its point of intersection with the line of the Sewer District at Yellow River Road. It is expressly understood and agreed, however, that the Sewer District has no obligation to collect this charge from Ohlwine, and that Terry assumes the responsibility for collection thereof.

This Agreement is binding upon the parties hereto, and their successors and assigns. This Agreement shall run with both the Terry Real Estate and the Ohlwine Real estate.

Dated this 30th day of April, 2002.

Reference Document No. 201058149
Reference Document No. _____

X Roy P. Terry
ROY P. TERRY

X Homer Ohlwine
HOMER OHLWINE

ALLEN COUNTY REGIONAL WATER AND SEWER DISTRICT

BY: John Stafford
JOHN STAFFORD, PRESIDENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, personally appeared **Roy P. Terry** and acknowledged execution of the above and foregoing this 16th day of May, 2002.

My Commission Expires:
10-4-2006

Betty J Brumbaugh
Notary Public
Betty Brumbaugh

Resident of:
Allen County
State of Indiana

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, personally appeared **Homer Ohlwine** and acknowledged execution of the above and foregoing this 16th day of May, 2002.

My Commission Expires:
10-4-2006

Betty J Brumbaugh
Betty J. Brumbaugh Notary Public

Resident of:
Allen County
STATE of INDIANA

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, personally appeared **John Stafford**, President of the Allen County Regional Water and Sewer District and acknowledged execution of the above and foregoing this 30 day of April, 2002.

My Commission Expires:
July 18, 2008

Vincent J. Heiny Notary Public

Resident of:
Allen County, Indiana

This instrument prepared by **Vincent J. Heiny**, Attorney at Law, Haller & Colvin, P.C., 444 East Main Street, Fort Wayne, Indiana 46802, Telephone: (260) 426-0444.

TRACT II
Legal Description:

EXHIBIT "A"

A tract of land located in the Southeast Quarter of Section 35 and Southwest Quarter of Section 36, Township 31 North, Range 11 East, in Allen County, the State of Indiana, more fully described as follows:

COMMENCING at a Harrison Marker situated in the Northwest corner of the Northwest Quarter of said Section 36; Thence South 01 Degrees 40 Minutes 41 Seconds West (GPS Grid Basis of Bearings), a distance of 2504.32 feet along the West line of said Northwest Quarter to a Marker Spike with tag (Firm 0042); Thence North 89 Degrees 05 Minutes 30 Seconds West, a distance of 1.95 feet to a Marker Spike with tag (Firm 0042) situated in the centerline of O'Day Road; Thence Southerly, a distance of 139.28 feet on and along said O'Day Road centerline (being a circular arc that is concave Northwesterly, having a radius of 290.00 feet, having a central angle of 27 Degrees 31 Minutes 03 Seconds, and having a chord bearing South 22 Degrees 05 Minutes 00 Seconds West, with a distance of 137.94 feet to a Marker Spike with tag (Firm 0042); Thence South 35 Degrees 50 Minutes 34 Seconds West, a distance of 129.29 feet on and along said O'Day Road centerline to a Marker Spike with tag (Firm 0042), the TRUE POINT OF BEGINNING; Thence South 89 Degrees 44 Minutes 13 Seconds East, a distance of 305.27 feet to a Rebar Stake with cap (Firm 0042); Thence South 00 Degrees 15 Minutes 47 Seconds West, a distance of 287.16 feet to a Rebar Stake with cap (Firm 0042); Thence North 89 Degrees 44 Minutes 13 Seconds West, a distance of 181.71 feet to a Railroad Rail Corner Post; Thence South 00 Degrees 17 Minutes 47 Seconds West, a distance of 319.50 feet along the East line of said Southeast Quarter (also the West line of a tract of land conveyed to Lawrence W. Murray, Robert C. Faulkner, and John Hilker, as Trustees of the Cleo A. Scott Testamentary Trust in Allen County Document No. 88-050769 to a Rebar Stake with cap (Firm 0042); Thence North 89 Degrees 24 Minutes 23 Seconds West, a distance of 165.00 feet to a Marker Spike with tag (Firm 0042) situated in the centerline of O'Day Road; Thence Northerly on and along said O'Day Road centerline (also the East line of lands of Kevin R. and Deanna L. McDermit in Allen County Document No. 980050650, and the East line of lands of Katherine D. Frissell in Allen County Deed Record 721, page 382, and Deed Record 733, page 528) the following three (3) courses and distances, to-wit:

1.) North 00 Degrees 17 Minutes 47 Seconds East, a distance of 483.85 feet to a Marker Spike with tag (Firm 0042);

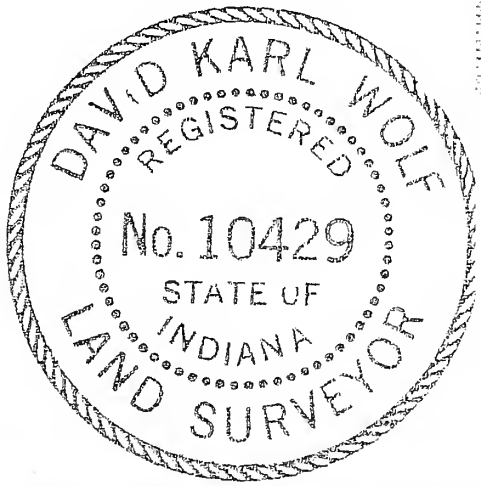
2.) Northerly, a distance of 124.08 feet along a circular arc that is concave Southeasterly, having a radius of 200.00 feet, having a central angle of 35 Degrees 32 Minutes 47 Seconds, and having a chord bearing North 18 Degrees 04 Minutes 10 Seconds East, with a distance of 122.10 feet to a Marker Spike with tag (Firm 0042); and

3.) North 35 Degrees 50 Minutes 34 Seconds East, a distance of 6.89 feet to the POINT OF BEGINNING, said tract containing 3.46 Acres, more or less, of which 1.20 Acres are within the Southeast Quarter, and 2.26 Acres are within the Southwest Quarter and being subject to all public road rights-of-way and to all easements of record. A survey of said tract of land being represented by Plat of Survey #31-11-36-02 as prepared by D. A. Brown Engineering Consultants, Inc., 702 Goodwin Place, P.O. Box 128, Kendallville, Indiana, 46755.

I HEREBY CERTIFY THAT , TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT AND DESCRIPTIONS ACCURATELY REPRESENT A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND EXECUTED ACCORDING TO THE SURVEY REQUIREMENTS OF 865 IAC 1-12.
DATED THIS SIXTH DAY OF JUNE, 2002.

SIGNED: David K Wolf

DAVID K. WOLF
KENDALLVILLE, IN
INDIANA RLS #LS 80010429



EMERGENCY RESOLUTION NO. 89-216-27

WHEREAS, an emergency exists for Cement Concrete Repair at:

5500 BLOCK NORTH CLINTON

WHEREAS, Transportation Engineering Services received invitational bids for said repair from the following contractors:

BENCHMARK CONSTRUCTION: $11,864.00

ENGINEERS ESTIMATE $9,776.00

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement and requests the purchasing Department to issue a Purchase Order to **BENCHMARK CONSTRUCTION** in the amount of **$11,864.00.**

Adopted, this 10th day of July, 20__.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
CONFIRMING RESOLUTION 89-183-6 OF THE BOARD OF PUBLIC WORKS
APPROPRIATING AND CONDEMNING REAL AND PERSONAL PROPERTY
FOR USE BY THE CITY OF FORT WAYNE, INDIANA
FOR THE ACQUISITION OF UTILITY CENTER, INC.
D/B/A AQUASOURCE NORTH SEWER AND WATER SYSTEMS

RESOLUTION NUMBER: **89-211-1**

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), has determined that the customers of Utility Center, Inc. d/b/a AquaSource ("AquaSource") located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("Customers") would be more efficiently and effectively served if they were customers of the City; and

WHEREAS, the Board has determined that, to best serve the Customers, it is necessary for the City to condemn and appropriate the water and wastewater utility property of AquaSource identified in Exhibits A and B attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("North System"); and

WHEREAS, the City has determined that it is necessary and beneficial and of public utility benefit to proceed with such condemnation and appropriation; and

WHEREAS, IC 32-11-1.5 provides a mechanism pursuant to which the Board may proceed with such condemnation and appropriation; and

WHEREAS, the Board has determined that it is of public utility and benefit and in the best interests of the City of Fort Wayne to proceed to condemn and appropriate the North System under the mechanism set forth in IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5-3 requires the adoption by the Board of a resolution expressing the desire of the Board to condemn and appropriate such interests; and identifying such real and personal property as may be injuriously or beneficially affected; and

WHEREAS, pursuant to IC 32-11-1.5.3, the Board on June 12, 2002, adopted such resolution entitled *Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water Systems Resolution No. 89-183-6* ("Original Resolution"); and

WHEREAS, IC 32-11-1.5-3 requires the Board to publish notice of the adoption of said resolution and of the date and time and place at which the Board shall receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5 requires the Board to consider any such remonstrance and then take final action confirming, modifying, or rescinding its original resolution; and

WHEREAS, pursuant to IC 32-11-1.5-3, the Board, on July 3, 2002, after proper publication of notice, held a public hearing and received or heard remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5; and

WHEREAS, the Board, after considering the remonstrances, in this resolution confirms the Original Resolution; and

WHEREAS, IC 32-11-1.5-4 requires the Board to prepare a list or roll of all owners or holders of property, and their respective interests therein, sought to be taken or to be injuriously affected; and

WHEREAS, the Board has prepared a list of all property owners and their respective interests in the property sought to be taken hereby, which list is attached hereto as Exhibit C; and

WHEREAS, IC 32-11-1.5-5 requires the Board to award damages sustained and assess the benefits accruing to each piece of property on such list and to serve written notice of the same upon the owner of each such piece of property, and, in such notices, to name the date on which the Board shall receive or hear written remonstrance from persons with regard to their respective awards or assessments, after such time the Board shall, pursuant to IC 32-11-1.5-7, sustain or modify such awards or assessments; and

WHEREAS, the Board, to ensure that the award of damages and assessment of benefits is fair and accurate, intends to perform due diligence or use other alternate means to evaluate the North System; and

WHEREAS, the due diligence process or other alternate means to evaluate the system may take up to 60 days to complete; and

WHEREAS, upon completion of the due diligence or alternate evaluation process, the Board intends to review the results and determine the damages sustained and benefits accrued from the condemnation of the North System and at that time serve written notice upon the owners of the affected properties, and in such notice, name the date on which the Board shall receive or hear written remonstrances from persons with regard to their respective awards or assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby confirms and reaffirms its desire to condemn the North System as set forth in the Original Resolution.

2. That the Board hereby confirms and reaffirms that the condemnation of the North System, as described on Exhibits A and B attached hereto, is necessary, beneficial and of public utility benefit as set forth in the Original Resolution.

3. That the Board hereby confirms and reaffirms the Original Resolution in its entirety.

4. That pursuant to IC 32-11-1.5-4, the Board has prepared a list of the affected property owners, as shown on Exhibit C attached hereto and made a part hereof.

5. That the Board hereby authorizes the City's officers to take such action, enter into such agreements and engage such professionals as are necessary, desirable or appropriate to accomplish the purposes of this resolution, including without limitation, due diligence and other alternate evaluation process referred to herein and obtain financing necessary for the condemnation of the North System.

6. That the due diligence or other alternate evaluation report on the North System will be presented to the Board no later than September 9, 2002.

7. That, upon receipt of the due diligence or other alternate evaluation report, the Board will award the damages and assess the benefits to the affected property owners.

8. That the Clerk of the Board shall and hereby is, upon receipt of the award of damages and assessment of benefits, directed and authorized to send notice containing the amount of the award or assessment and the date of the hearing on remonstrance to those persons listed on Exhibit C attached hereto.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

Adopted this 10th day of July, 2002.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter-Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

282290

EXHIBIT C
LIST OF AFFECTED PROPERTY OWNERS (I.C. §32-11-1.5-4)

Property Owner and Address	Legal Description of Property Affected
Utility Center Inc. C/o AquaSource a DQE Company William Etzler 2200 West Cook Road Fort Wayne, IN 46818	Exhibits A & B

RESOLUTION OF THE BOARD OF PUBLIC WORKS
TO ESTABLISH AREA CONNECTION FEES FOR THE NEUHAUS INTERCEPTOR EXTENSION
WITHIN A PORTION OF THE SPY RUN SERVICE AREA

WHEREAS, an area at the western edge of the City has experienced growth that resulted in the Board authorization of the construction of the Neuhaus Interceptor Sewer Extension Phase One, and

WHEREAS, on the 5th day of September, 2001, the Board of Public Works passed a Resolution that established an Equivalent Residential Unit (ERU) as an acceptable unit of measure for determining Area Connection Fees for real estate to be served by the City of Fort Wayne Waste Water Disposal Plant, and

WHEREAS the Board of Public Works desires to establish specific Equivalent Residential Unit (ERU) area connection fees for real estate connecting to the City of Fort Wayne Waste Water Disposal system served by the aforementioned sewer facilities as a means to defray the cost of constructing the Neuhaus Interceptor Sewer Extension Phase One.

NOW THEREFORE BE IT RESOLVED that the Board of Public Works adopts the Equivalent Residential Unit area connection fees as set forth below for all real estate contained within the Neuhaus Interceptor Extension Service Area as described on attached Exhibit A. Said fees shall apply to all land uses connecting to any sewer facilities transporting sewage to the extension of the Neuhaus Interceptor sewer facilities described above.

EQUIVALENT RESIDENTIAL UNITS ASSESSMENTS
NEUHAUS INTERCEPTOR SEWER EXTENSION SERVICE AREA PHASE I

Equivalent Residential Unit (ERU) connection fees within the area defined as the Neuhaus Interceptor Sewer Extension Phase I Service Area shall be established as provided herein for the Shed Area(s) defined on said Exhibit A. Said fees shall be collected prior to connection to the facilities described herein.

The ERU fees for each Shed Area are set forth below:

Shed A1 $975.00

The aforesaid ERU fee includes fees associated with the Spy Run Service Area, most recently established by Resolution 89-32-18 and passed by the Board of Public Works on February 6, 2002 for real estate within the boundaries of Exhibit A. Payment of the ERU fee shall satisfy payment of the Spy Run Service Area Assessment Fee for the affected real estate.

In the event a parcel of real estate served by the facilities herein described is near or crosses a Shed Area boundary as identified in Exhibit A, the routing of the local and receiving sewer shall determine the Shed Area for purposes of determining the applicable ERU fee.

BE IT FURTHER RESOLVED that as additional infrastructure is added to the sewer facilities to serve real estate included in the Neuhaus Interceptor Sewer Extension Phase I Service Area, or modifications are made to said Service Area, or facilities therein necessitating an adjustment to the connection fees, amended or additional ERU's will be established for the specific areas served by the sewer facilities.

BE IT FURTHER RESOLVED that the Equivalent Residential Unit connection fee may be adjusted for inflation on or before February of each year based on the increase of the December to December value of the All Urban Consumer Price Index.

PASSED THIS 10 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Denise Porter-Ross

Attest: Carolyn S. Newport
Carolyn S. Newport, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez, and Denise Porter-Ross,** as Members of the Board of Public Works of the City of Fort Wayne, and **Carolyn Newport**, Clerk of the Board of Works and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 5th day of July 2002.

Michelle R. Hadley
Notary Public
Resident of Allen County

My Commission Expires:

MICHELLE RENEE HADLEY
Notary Public, State of Indiana
County of Allen
My Commission Expires 11/26/2006

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
CONFIRMING RESOLUTION 89-183-6 OF THE BOARD OF PUBLIC WORKS
APPROPRIATING AND CONDEMNING REAL AND PERSONAL PROPERTY
FOR USE BY THE CITY OF FORT WAYNE, INDIANA
FOR THE ACQUISITION OF UTILITY CENTER, INC.
D/B/A AQUASOURCE NORTH SEWER AND WATER SYSTEMS

RESOLUTION NUMBER: **89-211-1**

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), has determined that the customers of Utility Center, Inc. d/b/a AquaSource ("AquaSource") located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("Customers") would be more efficiently and effectively served if they were customers of the City; and

WHEREAS, the Board has determined that, to best serve the Customers, it is necessary for the City to condemn and appropriate the water and wastewater utility property of AquaSource identified in Exhibits A and B attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("North System"); and

WHEREAS, the City has determined that it is necessary and beneficial and of public utility benefit to proceed with such condemnation and appropriation; and

WHEREAS, IC 32-11-1.5 provides a mechanism pursuant to which the Board may proceed with such condemnation and appropriation; and

WHEREAS, the Board has determined that it is of public utility and benefit and in the best interests of the City of Fort Wayne to proceed to condemn and appropriate the North System under the mechanism set forth in IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5-3 requires the adoption by the Board of a resolution expressing the desire of the Board to condemn and appropriate such interests; and identifying such real and personal property as may be injuriously or beneficially affected; and

WHEREAS, pursuant to IC 32-11-1.5.3, the Board on June 12, 2002, adopted such resolution entitled *Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water Systems Resolution No. 89-183-6* ("Original Resolution"); and

WHEREAS, IC 32-11-1.5-3 requires the Board to publish notice of the adoption of said resolution and of the date and time and place at which the Board shall receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5 requires the Board to consider any such remonstrance and then take final action confirming, modifying, or rescinding its original resolution; and

WHEREAS, pursuant to IC 32-11-1.5-3, the Board, on July 3, 2002, after proper publication of notice, held a public hearing and received or heard remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5; and

WHEREAS, the Board, after considering the remonstrances, in this resolution confirms the Original Resolution; and

WHEREAS, IC 32-11-1.5-4 requires the Board to prepare a list or roll of all owners or holders of property, and their respective interests therein, sought to be taken or to be injuriously affected; and

WHEREAS, the Board has prepared a list of all property owners and their respective interests in the property sought to be taken hereby, which list is attached hereto as Exhibit C; and

WHEREAS, IC 32-11-1.5-5 requires the Board to award damages sustained and assess the benefits accruing to each piece of property on such list and to serve written notice of the same upon the owner of each such piece of property, and, in such notices, to name the date on which the Board shall receive or hear written remonstrance from persons with regard to their respective awards or assessments, after such time the Board shall, pursuant to IC 32-11-1.5-7, sustain or modify such awards or assessments; and

WHEREAS, the Board, to ensure that the award of damages and assessment of benefits is fair and accurate, intends to perform due diligence or use other alternate means to evaluate the North System; and

WHEREAS, the due diligence process or other alternate means to evaluate the system may take up to 60 days to complete; and

WHEREAS, upon completion of the due diligence or alternate evaluation process, the Board intends to review the results and determine the damages sustained and benefits accrued from the condemnation of the North System and at that time serve written notice upon the owners of the affected properties, and in such notice, name the date on which the Board shall receive or hear written remonstrances from persons with regard to their respective awards or assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby confirms and reaffirms its desire to condemn the North System as set forth in the Original Resolution.

2. That the Board hereby confirms and reaffirms that the condemnation of the North System, as described on Exhibits A and B attached hereto, is necessary, beneficial and of public utility benefit as set forth in the Original Resolution.

3. That the Board hereby confirms and reaffirms the Original Resolution in its entirety.

4. That pursuant to IC 32-11-1.5-4, the Board has prepared a list of the affected property owners, as shown on Exhibit C attached hereto and made a part hereof.

5. That the Board hereby authorizes the City's officers to take such action, enter into such agreements and engage such professionals as are necessary, desirable or appropriate to accomplish the purposes of this resolution, including without limitation, due diligence and other alternate evaluation process referred to herein and obtain financing necessary for the condemnation of the North System.

6. That the due diligence or other alternate evaluation report on the North System will be presented to the Board no later than September 9, 2002.

7. That, upon receipt of the due diligence or other alternate evaluation report, the Board will award the damages and assess the benefits to the affected property owners.

8. That the Clerk of the Board shall and hereby is, upon receipt of the award of damages and assessment of benefits, directed and authorized to send notice containing the amount of the award or assessment and the date of the hearing on remonstrance to those persons listed on Exhibit C attached hereto.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

Adopted this 10th day of July, 2002.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter-Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

282290

EXHIBIT C
LIST OF AFFECTED PROPERTY OWNERS (I.C. §32-11-1.5-4)

Property Owner and Address	Legal Description of Property Affected
Utility Center Inc. C/o AquaSource a DQE Company William Etzler 2200 West Cook Road Fort Wayne, IN 46818	Exhibits A & B

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF
THE CITY OF FORT WAYNE, INDIANA
APPROPRIATING AND CONDEMNING REAL AND PERSONAL PROPERTY
FOR USE BY THE CITY OF FORT WAYNE, INDIANA
FOR THE ACQUISITION OF THE UTILITY CENTER, INC.
D/B/A AQUASOURCE NORTH SEWER AND WATER SYSTEMS

RESOLUTION NUMBER: **89-183-6**

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), finds that customers of Utility Center, Inc. d/b/a AquaSource ("AquaSource") located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("Customers") would receive higher quality, lower cost water and wastewater utility service if they were customers of the City; and

WHEREAS, the Board has determined that, to best serve the Customers, the City should acquire the water and wastewater utility property of AquaSource identified in Exhibit A (system water utility property) and Exhibit B (system wastewater utility property) attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana ("North System"); and

WHEREAS, the City has made numerous attempts to persuade AquaSource to negotiate a purchase price for the North System, but AquaSource has, to date, been unwilling to negotiate in any manner with the City to determine the appropriate price to pay for the North System; and

WHEREAS, due to AquaSource's lack of response, to best serve the Customers it is necessary to condemn and appropriate the North System; and

WHEREAS, the City has determined that it is beneficial to proceed with such condemnation and appropriation; and

WHEREAS, IC 32-11-1.5 provides a mechanism pursuant to which the Board may proceed with such condemnation and appropriation; and

WHEREAS, the Board has determined that it is of public utility and benefit and in the best interests of the City of Fort Wayne to proceed to condemn and appropriate the North System under the mechanism set forth in IC 32-11-1.5; and

WHEREAS, IC 32-11-1.5-3 requires the adoption by the Board of a resolution expressing the desire of the Board to condemn and appropriate such interests; and identifying such real and personal property as may be injuriously or beneficially affected; and

WHEREAS, IC 32-11-1.5-3 requires the Board to publish notice of the adoption of said resolution and of the date and time and place at which the Board shall receive or hear remonstrance from persons interested in or affected by the Board's proceedings under IC 32-11-1.5.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby declares that the acquisition of AquaSource's North System is beneficial and of public utility benefit.

2. That pursuant to IC 32-11-1.5-3, the Board hereby declares that it is beneficial to condemn and appropriate AquaSource's North System.

3. That the Board declares that the real and personal property that may be injuriously or beneficially affected by such condemnation and appropriation includes the property described on Exhibit A and Exhibit B attached hereto, along with any additions or improvements to AquaSource's water or wastewater utility property completed since September 30, 2000 and located in the City or in St. Joseph, Washington, Cedar Creek or Perry Townships in Allen County, Indiana.

4. That the Board hereby sets the 3rd of July, 2002, at 9:00 a.m., as the date, time and place at which the Board shall receive or hear remonstrances from persons interested in or affected by this proceeding.

5. That at the hearing set herein for remonstrance, the Board shall consider any such remonstrance and shall then take final action confirming, modifying, or rescinding this resolution.

6. That the Clerk of the Board shall and hereby is directed and authorized to send notice of said hearing to Utility Center, Inc. d/b/a AquaSource, and publish notice of this resolution in at least one newspaper of general circulation in the City of Fort Wayne once each week for two (2) consecutive weeks, the last publication to be at least ten (10) days before July 3, 2002, the date the Board will hear remonstrances from persons interested in or affected by this proceeding.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

Adopted this 12 day of June, 2002.

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

John Suarez

Denise Porter-Ross

ATTEST:

Carolyn S. Newport, Clerk

279847

WATER MAIN INTERCONNECTIONS - CONTRACT #1 RESOLUTION NO. 1522-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 720 LF of 6" water main, two (2) fire hydrants, and all other appurtenances necessary for this project. Water main construction is a combination of two separate areas into one project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WATER MAIN INTERCONNECTIONS – CONTRACT #1"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States there is a cost of $4,618.00 for the purchase of any land easements associated with this project.

Declares the engineer's estimate of the project's total cost is $60,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 17 DAY OF July, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Attachment "A"

Property Acquisition Sheet

Miscellaneous Network Connections - Contract #1

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
1	Michelle L. Baum	6818 Riverton Drive	SP - 2	DB 26, pages 23-25	3,815	0	Acquired	

IMPROVEMENT RESOLUTION NO. 6897-02

COOMBS STREET RAILROAD VIADUCT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **COOMBS STREET RAILROAD VIADUCT BY REMOVING EXISTING AND UPGRADING CURBFACE SIDEWALK, HANDRAIL AND IMPACT ATTENUATORS; REHABILITATE RETAINING WALLS AND STORMWATER DRAINAGE, SODDING RESTORATION AND OTHER RELATED ROADWAY WORK.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 24 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6899-02

3210 QUEEN STREET

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **DRIVE APPROACHES, SIDEWALK, CURB, SEED AND MULCH RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 31 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6900-02

WAYNE TRACE 4300 BLOCK (WEST SIDE ONLY)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **WAYNE TRACE 4300 BLOCK (WEST SIDE ONLY) BY ENCLOSING THE EXISTING SIDE-DITCH WHICH INCLUDES: PIPE, STORM SEWER STRUCTURES/SYSTEM, TOPSOIL, MULCHED SEEDING RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 31 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: **Wayne Trace - 4300 Block**
Ditch Closure

RES. NO.: 6900-02

B.O. NO.: 121-02

DATE: 6/7/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	1000.00	1000.00
2.	Linear Grading	3	ST	700.00	2100.00
3.	Borrow	150	TN	8.00	1200.00
4.	B Barrow (for pipe bedding)	20	TN	6.00	120.00
5.	12" CMP, Gage 12	160	LF	35.00	5600.00
6.	Inlet, Type I-G	3	EA	1000.00	3000.00
7.	Utilities Adjustment	1	LS	550.00	550.00
8.	Top Soil	30	TN	18.00	540.00
9.	Mulched Seeding	300	SY	2.00	600.00
10.	Construction Signs, Type A With Construction Warning Light Type A	5	EA	90.00	450.00
11.	Standard Barricade, Type I	8	EA	30.00	240.00
12.	Maintenance Of Traffic	1	LS	600.00	600.00

SUB-TOTAL:	16000.00
E&I @16%	2560.00
TOTAL:	**$18,560.00**

Note: Costs for excavation, equipment, labor, furnishing materials required to construct this project; including pipe connections, necessary incidentals, will not be paid for directly, but shall be included in the unit costs of the aforementioned pay items.

EMERGENCY RESOLUTION

WHEREAS, an emergency exists for Pavement Repair at:

2700 BLOCK TYLER STREET

WHEREAS, Transportation Engineering Services received invitational bids for said repair from the following contractors:

BENCHMARK CONSTRUCTION:	$13,873.00
MICHAEL KINDER & SON:	$11,308.00
ENGINEER'S ESTIMATE:	$14,564.00

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to repair said pavement and requests the Purchasing Department to issue a Purchase Order to **MICHAEL KINDER & SON** in the amount of **$11,308.00**.

Adopted, this 31 day of July, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

Attest: Carolyn S. Newport
Carolyn S. Newport
Clerk

RESOLUTION RECOGNIZING ABB WATER METERS, INC. AS THE BEST LOWEST, RESPONSIVE AND RESPONSIBLE PROPOSAL AND AUTHORIZING STAFF TO CONDUCT ADDITIONAL NEGOTIATION ON DETAILS OF THE MOBILE AUTOMATIC METERING SYSTEM BY THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

Whereas, the City of Fort Wayne Utility requires automation of its metering system in order to create long range cost savings to the utility and improve overall efficiency and accuracy in meter reading; and

Whereas, the City of Fort Wayne has developed detailed specifications in support of this objective and created a Request for Proposal incorporating those specifications; and

Whereas, the City of Fort Wayne held a mandatory pre-bid conference with all potential bidders on this Request for Proposal and further outlined and clarified the City's requirements for an automated meter reading system at said conference; and

Whereas, the City of Fort Wayne had originally requested that sealed proposals be delivered to the Board of Public Works no later than 8:30 a.m. on June 26, 2002 but, at the request of one of the vendors, agreed to extend said deadline for all vendors to 8:30 a.m. on July 3, 2002; and

Whereas, said proposals were received from said vendors and have been evaluated for cost, responsiveness and responsibleness of the vendors;

NOW, THEREFORE BE IT RESOLVED that the Board of Public Works hereby recognizes ABB Water Meters, Inc. as having the best, lowest, responsive and responsible proposal and further authorizes and directs its staff to enter into further discussions with ABB Water Meters, Inc. in order clarify detailed elements of the final contract for the implementation of an automated meter reading system in the City of Fort Wayne.

Approved this 31 day of July, 2002

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn S. Newport, Clerk

7-31-02
Date

Document Prepared by: James T. Howard, Attorney for the Board of Public Works

RESOLUTION NO. 89-04/-19

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, REGARDING THE APPROVAL OF A FORM OF BOND ORDINANCE, RECOMMENDING ITS ADOPTION TO THE COMMON COUNCIL OF THE CITY AND OTHER RELATED MATTERS

==========

WHEREAS, the City of Fort Wayne, Indiana (the "City"), has heretofore established and constructed and currently owns and operates a waterworks (the "Waterworks"), pursuant to the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, pursuant to Ordinance No. S-41-93, adopted by the Common Council of the City (the "Council") on May 18, 1993, as amended by Ordinance No. 54-93, adopted by the Council on June 22, 1993 (collectively, the "1993 Ordinance"), the City has heretofore issued its waterworks refunding revenue bonds (the "1993 Bonds"), payable from the net revenues of the Waterworks, outstanding, after December 1, 2001, in the aggregate principal amount of Seven Million Five Hundred Fifty Thousand and 00/100 Dollars ($7,550,000.00), bearing interest at per annum rates ranging from 5.10% to 5.50%, maturing annually on December 1 in the years 2002 to 2006, inclusive; and

WHEREAS, pursuant to Ordinance No. S-79-96, adopted by the Council on November 12, 1996 (the "1997 Ordinance" and with the 1993 Ordinance, the "Prior Ordinances"), the City has heretofore issued its waterworks refunding revenue bonds (the "1997 Bonds" and with the 1993 Bonds, the "Prior Bonds"), payable from the net revenues of the Waterworks, outstanding, after December 1, 2001, in the aggregate principal amount of Five Million Four Hundred Five Thousand and 00/100 Dollars ($5,405,000.00), bearing interest at per annum rates ranging from 4.40% to 4.75%, maturing annually on December 1 in the years 2002 to 2011 inclusive; and

WHEREAS, Indiana Code 5-1-5-1, et seq. (the "Refunding Law"), authorizes the issuance of bonds to refund outstanding bonds and to pay redemption premiums and costs of such refunding in order to effect a savings; and

WHEREAS, under the Prior Ordinances, the City reserved the right to authorize and issue additional bonds, payable out of the net revenues of its Waterworks, ranking on a parity with the Prior Bonds to refund outstanding obligations; and

WHEREAS, based upon information provided by Crowe Chizek and Company, LLP, financial advisor to the City, the City has determined that savings will be generated through the current refunding of the 1993 Bonds maturing on December 1 in the years 2003 to 2006 inclusive (the "Refunded Bonds"); and

WHEREAS, a proposed form of bond ordinance to finance the costs of currently refunding the Refunded Bonds has been duly considered by the Board and found satisfactory, a copy of which proposed bond ordinance is attached hereto as Exhibit A (the "Bond Ordinance"); and

WHEREAS, the Board desires to recommend the adoption of the proposed Bond Ordinance to the Common Council; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1 The Board requests that the Common Council authorize the issuance of waterworks revenue bonds in an aggregate principal amount not to exceed the amount set forth in the Bond Ordinance on the terms and conditions set forth in the Bond Ordinance which Bond Ordinance is hereby approved in the form presented to this Board at this meeting.

2 The Board hereby approves and ratifies action taken to file said Bond Ordinance with the City Clerk for presentation to the Common Council and directs the Clerk of the Board to present a copy of this Resolution to the City Clerk for presentation to the Common Council as soon as may be done.

3 This resolution shall be in full force and effect from and after its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on July 31, 2002, at the City-County Building, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter-Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REVENUE BONDS BY THE CITY OF FORT WAYNE, INDIANA, TO PROVIDE FUNDS FOR THE REFUNDING PRIOR TO MATURITY OF CERTAIN PREVIOUSLY ISSUED AND CURRENTLY OUTSTANDING WATERWORKS REVENUE BONDS, AND AUTHORIZING THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City"), has heretofore established and constructed and currently owns and operates a waterworks (the "Waterworks"), pursuant to the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, pursuant to Ordinance No. S-41-93, adopted by the Common Council of the City (the "Council") on May 18, 1993, as amended by Ordinance No. 54-93 (the "1993 Ordinance"), the City has heretofore issued its waterworks refunding revenue bonds (the "1993 Bonds"), payable from the net revenues of the Waterworks, outstanding after December 1, 2001, in the aggregate principal amount of Seven Million Five Hundred Fifty Thousand and 00/100 Dollars ($7,550,000.00), bearing interest at per annum rates ranging from 5.10% to 5.50%, maturing annually on December 1 in the years 2002 to 2006, inclusive; and

WHEREAS, pursuant to Ordinance No. S-79-96, adopted by the Council on November 12, 1996 (the "1997 Ordinance" and with the 1993 Ordinance, the "Prior Ordinances"), the City has heretofore issued its waterworks refunding revenue bonds (the "1997 Bonds" and with the 1993 Bonds, the "Prior Bonds"), payable from the net revenues of the Waterworks, outstanding, after December 1, 2001, in the aggregate principal amount of Five Million Four Hundred Five Thousand and 00/100 Dollars ($5,405,000.00), bearing interest at per annum rates ranging from 4.40% to 4.75%, maturing annually on December 1 in the years 2002 to 2011 inclusive; and

WHEREAS, Indiana Code 5-1-5-1, et seq. (the "Refunding Law"), authorizes the issuance of bonds to refund outstanding bonds and to pay redemption premiums and costs of refunding in order to effect a savings; and

WHEREAS, under the Prior Ordinances, the City reserved the right to authorize and issue additional bonds, payable out of the net revenues of its Waterworks, ranking on a parity with the Prior Bonds to refund outstanding obligations; and

WHEREAS, based upon information provided by Crowe Chizek and Company, LLP, financial advisor to the City (the "Financial Advisor"), the City has determined that savings will be generated through the current refunding of the 1993 Bonds maturing on December 1 in the years 2003 to 2006 inclusive (the "Refunded Bonds"); and

WHEREAS, the City has determined that in order to generate such savings, there exists a necessity for issuing and selling waterworks refunding revenue bonds for the purpose of currently refunding the previously issued and currently outstanding Refunded Bonds, together with expenses incidental thereto, including expenses in connection with the issuance of such refunding bonds; and

WHEREAS, the City desires to provide for the refunding prior to maturity of the Refunded Bonds in order to achieve savings; and

WHEREAS, in order to accomplish such refunding of the Refunded Bonds and to secure the payment of the principal of, premium, if any, and interest on the Refunded Bonds through the redemption date thereof, the Council has determined that all or a portion of the net proceeds from the sale of waterworks refunding revenue bonds to be designated the "City of Fort Wayne, Indiana, Waterworks Refunding Revenue Bonds of 2002" in principal amount not to exceed Five Million Seven Hundred Fifty Thousand and 00/100 Dollars ($5,750,000.00) (the "2002 Bonds"), issued on a parity with the Prior Bonds, will be paid to an escrow trustee to be selected by the City (the "Escrow Trustee"), and held and applied pursuant to an irrevocable escrow deposit agreement (the "Escrow Agreement") between the City and the Escrow Trustee providing for amounts on deposit under the Escrow Agreement to be used to pay the principal of, premium, if any, and interest on the Refunded Bonds to and on their redemption date; and

WHEREAS, the Council now finds that all conditions precedent to the adoption of an ordinance, authorizing the issuance of the 2002 Bonds and providing the necessary funds to be applied to the refunding of the Refunded Bonds and the authorized costs relating thereto, have been complied with in accordance with the provisions of the Prior Ordinances, the Act and the Refunding Law; and

WHEREAS, the Council consequently seeks to authorize the issuance of the 2002 Bonds to refund the Refunded Bonds pursuant to the Act and the Refunding Law and the sale of such revenue bonds by negotiation to the purchaser thereof, pursuant to the provisions of the Refunding Law, subject to and dependent upon the terms and conditions hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. The 2002 Bonds. In accordance with the Act and the Refunding Law and for the purpose of providing funds to effect the refunding of the Refunded Bonds, together with authorized expenses relating thereto including the costs of issuance of the 2002 Bonds, the City shall issue and sell the 2002 Bonds in the aggregate principal amount not to exceed Five Million Seven Hundred Fifty Thousand and 00/100 Dollars ($5,750,000.00). The principal of, redemption premium, if any, and interest on the 2002 Bonds shall be payable solely out of the Waterworks Sinking Fund described herein.

The 2002 Bonds shall be issued as fully registered bonds in denominations of Five Thousand Dollars ($5,000) and any integral multiple thereof not exceeding the aggregate principal amount of the 2002 Bonds maturing in any one year, shall be numbered consecutively from 02R-1 upward and shall bear interest at a rate or rates to be determined by negotiation with

the purchaser thereof, but in no event in excess of six percent (6.0%) per annum. Interest on the 2002 Bonds shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred and sixty (360)-day year and such interest shall be payable semiannually on June 1 and December 1 of each year, beginning December 1, 2002 (each an "Interest Payment Date") or such later date as may be set forth in the Issuer's Certificate (defined herein). The principal of the 2002 Bonds shall mature serially beginning December 1, 2002, or such later date as may be set forth in the Issuer's Certificate (defined herein) and ending no later than December 1, 2006. The final principal maturity schedule for the 2002 Bonds shall be certified by the Controller of the City (the "Controller") based on the advice of the Financial Advisor, and to be set forth in a written certificate of the Controller (the "Issuer's Certificate") prior to the sale of the 2002 Bonds.

At the option of the Purchaser, the 2002 Bonds may be aggregated into one or more term bonds payable from mandatory sinking fund redemption payments (the "Term Bonds") required to be made as set forth below. The Term Bonds shall have a stated maturity of December 1, in the years 2003 through 2006, and shall be subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to the redemption date, but without premium, on December 1 of each year and in the principal amount corresponding to and consistent with the principal maturity schedule determined as set forth above.

The Registrar and Paying Agent (as defined herein) shall credit against any mandatory sinking fund requirement for the Term Bonds, any 2002 Bonds of such maturity delivered to the Registrar and Paying Agent for cancellation or purchased for cancellation by the Registrar and Paying Agent and cancelled by the Registrar and Paying Agent and not theretofore applied as a credit against any mandatory sinking fund requirement. Each 2002 Bond so delivered or purchased shall be credited by the Registrar and Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund requirements for the applicable Term Bond in inverse order of mandatory sinking fund redemption dates, and the principal amount of such Term Bond to be redeemed on such mandatory sinking fund redemption dates by operation of the mandatory sinking fund requirements shall be reduced accordingly; provided, however, the Registrar and Paying Agent shall only credit 2002 Bonds against the mandatory sinking fund requirements to the extent such 2002 Bonds are received on or before 45 days preceding the applicable mandatory sinking fund redemption date.

Notice of any such mandatory sinking fund redemption shall be given in the same manner as notice of optional redemption is required to be given pursuant to Section 4 of this Ordinance. In the event any of the 2002 Bonds are issued as Term Bonds, the form of the 2002 Bond set forth in Appendix A of this Ordinance shall be modified accordingly. Any reference to payment of principal on 2002 Bonds shall include payment of scheduled mandatory sinking fund redemption payments.

The 2002 Bonds shall bear an original issue date which shall be the first day of the month in which the 2002 Bonds are sold or delivered (unless otherwise provided in any purchase agreement for the sale of the 2002 Bonds), and each 2002 Bond shall also bear the date of its authentication. Any 2002 Bond authenticated on or before November 15, 2002, shall pay interest from its original issue date. Any 2002 Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such 2002 Bond to

which interest thereon has been paid or duly provided for, unless such 2002 Bond is authenticated after the day which is fifteen (15) days prior to the Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

Section 2. Registrar and Paying Agent; Payment on Bonds. The Controller is hereby authorized to appoint a registrar and paying agent for the 2002 Bonds (the "Registrar" and the "Paying Agent" and, in both such capacities, the "Registrar and Paying Agent"). The Registrar and Paying Agent shall be charged with and shall by appropriate agreement undertake the performance of all of the duties and responsibilities customarily associated with each such position, including without limitation, the authentication of the 2002 Bonds. The Controller is further authorized and directed to enter into such agreements and understandings with the Registrar and Paying Agent as will enable and facilitate the performance of its duties and responsibilities, and is authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacity, with such fees to be paid from the Waterworks Bond Sinking Fund as described in this Ordinance.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving thirty (30) days' notice in writing to the City and by first-class mail to each registered owner of the 2002 Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the City. Any such notice to the City may be served personally or sent by registered mail. The Registrar and Paying Agent may also be removed at any time as Registrar and Paying Agent by the City, in which event the City may appoint a successor Registrar and Paying Agent. The City shall notify each registered owner of 2002 Bonds then outstanding by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of the 2002 Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar. Any predecessor Registrar and Paying Agent shall deliver all of the 2002 Bonds and cash in its possession with respect thereto, together with the registration books, to the successor Registrar and Paying Agent. The Controller is hereby authorized to act on behalf of the City with regard to any of the aforementioned actions of the City relating to the resignation or removal of the Registrar and Paying Agent and appointment of a successor Registrar and Paying Agent.

Principal of and any redemption premium on the 2002 Bonds shall be payable at the principal corporate trust office of the Paying Agent. Interest on the 2002 Bonds shall be paid by check or draft mailed or delivered by the Paying Agent to the registered owner thereof at the address as it appears on the registration books kept by the Registrar as of the last day of the month immediately preceding the Interest Payment Date or at such other address as may be provided to the Paying Agent in writing by such registered owner. All payments on the 2002 Bonds shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public or private debt.

Section 3. Transfer and Exchange of Bonds; Book-Entry. Each 2002 Bond shall be transferable or exchangeable only on the registration books of the City maintained for such purpose at the principal corporate trust office of the Registrar, by the registered owner thereof in person, or by his or her attorney duly authorized in writing, upon surrender of such 2002 Bond

together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new fully registered 2002 Bond or 2002 Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Each 2002 Bond may be transferred or exchanged without cost to the registered owner or his or her attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any transfer or exchange of any 2002 Bond (i) during the fifteen (15) day period immediately preceding an Interest Payment Date or (ii) after the mailing of notice calling such 2002 Bond for redemption. The City, the Registrar and the Paying Agent may treat and consider the person in whose name any 2002 Bond is registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof, redemption premium, if any, and interest thereon.

In the event any 2002 Bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new 2002 Bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed 2002 Bond, which new 2002 Bond shall be marked in a manner to distinguish it from the 2002 Bond for which it was issued; provided, that in the case of any mutilated 2002 Bond, such mutilated 2002 Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed 2002 Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed 2002 Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate 2002 Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated 2002 Bond or upon satisfactory indemnity and proof of loss, theft or destruction in the case of a lost, stolen or destroyed 2002 Bond. The City and the Registrar and Paying Agent may charge the owner of any such 2002 Bond with their reasonable fees and expenses in connection with the above. Every substitute 2002 Bond issued by reason of any 2002 Bond being lost, stolen or destroyed shall, with respect to such 2002 Bond, constitute a substitute contractual obligation of the City pursuant to this Ordinance, whether or not the lost, stolen or destroyed 2002 Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other 2002 Bonds duly issued hereunder.

In the event that any 2002 Bond is not presented for payment or redemption on the date established therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such 2002 Bond or the redemption price thereof, as appropriate, and thereafter the owner of such 2002 Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the City shall have no further obligation or liability with respect thereto.

The 2002 Bonds shall initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the City from time to time (the "Clearing Agency"). The City and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the

holders of the 2002 Bonds, as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the 2002 Bonds are held in book-entry form on the books of a Clearing Agency (1) any such 2002 Bond may be registered upon the books kept by the Registrar and Paying Agent in the name of such Clearing Agency, or any nominee thereof, including CEDE & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such 2002 Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such 2002 Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such 2002 Bond, the receiving of notice, and the giving of consent; (3) neither the City nor the Registrar and Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any 2002 Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any 2002 Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal, premium, if any, or interest on any 2002 Bond, the receiving of notice, or the giving of consent; (4) the Clearing Agency is not required to present any 2002 Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption; and (5) payment of the principal of and interest on the 2002 Bonds may be made by wire transfer or other method acceptable to the Clearing Agency.

If either (i) the City receives notice from the Clearing Agency which is currently the registered owner of the 2002 Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the 2002 Bonds or (ii) the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the 2002 Bonds, then the City and the Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the 2002 Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the 2002 Bonds and to transfer the ownership of each of the 2002 Bonds to such person or persons, including any other Clearing Agency, as the holder of the 2002 Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the 2002 Bonds, shall be paid by the City.

During any time that the 2002 Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar and Paying Agent shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owners of the 2002 Bonds as of a record date selected by the Registrar and Paying Agent. For purposes of determining whether the consent, advice, direction or demand of a Registered Owner of the 2002 Bonds has been obtained, the Registrar and Paying Agent shall be entitled to treat the beneficial owners of the 2002 Bonds as the holders of the 2002 Bonds.

Section 4. Optional Redemption of the 2002 Bonds. The optional redemption provisions relating to the 2002 Bonds shall be subject to negotiation with the purchaser thereof and shall be reflected either in the purchase agreement entered into between the City and such purchaser, or the Issuer's Certificate.

Official notice of such redemption shall be mailed by the Registrar and Paying Agent by first class mail at least thirty (30) days prior to the scheduled redemption date to each of the registered owners of the 2002 Bonds called for redemption (unless waived by any such registered owner) at the address shown on the registration books of the Registrar and Paying Agent, or at such other address as is furnished in writing by such registered owner to the Registrar; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any 2002 Bond shall not affect the validity of the proceedings for the redemption of any other 2002 Bonds. The notice shall specify the redemption price, the date and place of redemption, and the registration numbers (and, in case of partial redemption, the respective principal amounts) of the 2002 Bonds called for redemption. The place of redemption may be at the principal corporate trust office of the Registrar and Paying Agent or as otherwise determined by the City. Interest on the 2002 Bonds (or portions thereof) so called for redemption shall cease to accrue on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date and when such 2002 Bonds (or portions thereof) are presented for payment. Any 2002 Bond redeemed in part may be exchanged for a 2002 Bond or 2002 Bonds of the same maturity in authorized denominations equal to the remaining principal amount thereof.

In addition to the foregoing notice, the City may also direct that further notice of redemption of the 2002 Bonds be given, including without limitation and at the option of the City, notice described in paragraph (a) below given by the Registrar and Paying Agent to the parties described in paragraphs (b) and (c) below. No defect in any such further notice and no failure to give all or any portion of any such further notice shall in any manner defeat the effectiveness of any call for redemption of 2002 Bonds so long as notice thereof is mailed as prescribed above.

(a) If so directed by the City, each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all 2002 Bonds being redeemed; (ii) the date of issue of the 2002 Bonds as originally issued; (iii) the rate of interest borne by each 2002 Bond being redeemed; (iv) the maturity date of each 2002 Bond being redeemed; and (v) any other descriptive information needed to identify accurately the 2002 Bonds being redeemed.

(b) If so directed by the City, each further notice of redemption shall be sent at least thirty-five (35) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the 2002 Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the 2002 Bonds.

(c) If so directed by the City, each such further notice shall be published one time in The Bond Buyer of New York, New York or, if the Registrar believes such publication is impractical or unlikely to reach a substantial number of the holders of the 2002 Bonds, in some other financial newspaper or journal which regularly carries notices of redemption of other obligations similar to the 2002 Bonds, such publication to be made at least thirty (30) days prior to the date fixed for redemption.

Upon the payment of the redemption price of the 2002 Bonds (or portions thereof) being redeemed and if so directed by the City, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the 2002 Bonds (or portions thereof) being redeemed with the proceeds of such check or other transfer.

Section 5. Execution and Authentication of the 2002 Bonds. The 2002 Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor countersigned by the manual or facsimile signature of the Controller and shall be attested by the manual or facsimile signature of the Clerk, with the seal of the City or a facsimile thereof to be affixed to each of the 2002 Bonds. The 2002 Bonds shall be authenticated by the manual signature of the Registrar, and no 2002 Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any 2002 Bond shall cease to be such official before the delivery of such 2002 Bond, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this Ordinance regarding the registration of the 2002 Bonds, the 2002 Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

Section 6. Security and Sources of Payment for the 2002 Bonds. The 2002 Bonds, when fully paid for and delivered to the purchaser or purchasers thereof, together with any bonds hereafter issued on a parity therewith, as to both principal and interest, shall be valid and binding special revenue obligations of the City, payable from and secured by an irrevocable pledge of and constituting a charge upon all of the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, but not including depreciation and payments in lieu of taxes) derived from the Waterworks on a parity basis with the Prior Bonds, and all additions and improvements thereto and replacements thereof subsequently constructed or acquired, and deposited to the Waterworks Sinking Fund. The City shall not be obligated to pay the 2002 Bonds or the interest thereon except from the net revenues of the Waterworks and the 2002 Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Section 7. Form of the 2002 Bonds. The form and tenor of the 2002 Bonds shall be substantially as set forth in Appendix A, attached hereto and incorporated herein as if set forth at this place (with all blanks to be properly completed prior to the preparation of the 2002 Bonds).

Section 8. Issuance, Sale and Delivery of the 2002 Bonds. The Controller is hereby authorized and directed to have the 2002 Bonds prepared, and the Mayor, Controller and

the Clerk are each hereby authorized and directed to execute or to cause the execution of the 2002 Bonds in the form and manner herein provided, and the Clerk is authorized and directed to affix or cause to be affixed the seal of the City or a facsimile thereof to the 2002 Bonds. The Controller is hereby authorized and directed to deliver the 2002 Bonds to the purchaser or purchasers thereof upon compliance with the requirements established hereunder and under the Refunding Law for the sale thereof, and to collect the full amount which the purchaser or the respective purchasers have agreed to pay therefor, which shall be not less than ninety-nine percent (99.0%) of the principal amount of the 2002 Bonds required to be paid pursuant hereto, plus accrued interest thereon to the date of delivery. The proceeds derived from the sale of the 2002 Bonds shall be and are hereby set aside for the application to the costs of the refunding of the Refunded Bonds, together with the expenses necessarily incurred in connection therewith including the expenses incurred in the issuance of the 2002 Bonds, all as set forth in Section 9 hereof. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

The City hereby authorizes the sale of the 2002 Bonds to by negotiation to Banc One Capital Markets, Inc. (the "Purchaser"), and further authorizes the Mayor to execute a bond purchase agreement or other instrument between the City and the Purchaser setting forth the terms of the sale of the 2002 Bonds.

Prior to the delivery of the 2002 Bonds, the Controller, subject to the direction of the Board, (i) shall be authorized to investigate, negotiate and obtain bond insurance, other forms of credit enhancement and/or credit ratings on the 2002 Bonds and (ii) shall obtain a legal opinion as to the validity of the 2002 Bonds from Baker & Daniels, Fort Wayne, Indiana, bond counsel for the City, with such opinion to be furnished to the purchasers of the 2002 Bonds at the expense of the City. The costs of obtaining any such insurance, other credit enhancement and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinion and in the performance of related services in connection with the issuance, sale and delivery of the 2002 Bonds, and local counsel's fee shall be considered as a part of the costs of the issuance of the 2002 Bonds and shall be paid out of the proceeds of the 2002 Bonds. The Mayor is hereby authorized to enter into an agreement or execute a certificate at the request of a bond insurer to evidence compliance with the covenants necessary to obtain such bond insurance.

Section 9. Disposition of Proceeds of the 2002 Bonds and Moneys Presently Held and on Deposit in the Funds and accounts of the Waterworks. The proceeds from the sale of the 2002 Bonds shall be deposited and applied as follows:

(a) The accrued interest and premium received at the time of the delivery of the 2002 Bonds, if any, shall be deposited in the Waterworks Sinking Fund hereinafter defined and described.

(b) A sufficient amount of the proceeds from the sale of the 2002 Bonds, together with any moneys available for transfer from the existing funds and accounts of the Waterworks, all as provided in the Escrow Agreement, shall be deposited with the Escrow Trustee to be used to pay the principal of and

interest on all of the Refunded Bonds to and on the respective maturity or redemption dates, as the case may be.

(c) The remaining proceeds from the sale of the 2002 Bonds shall be deposited in a bank or banks which are legally qualified depositories for the funds of the City, in a special account or accounts to be designated as "City of Fort Wayne, 2002 Waterworks Refunding Costs of Issuance Account" (hereafter called the "2002 Costs of Issuance Account"). Amounts in the 2002 Costs of Issuance Account shall be expended only for the purpose of paying the costs of issuance of the 2002 Bonds and related costs. Any balance or balances remaining unexpended in the 2002 Costs of Issuance Account after payment of the costs of issuance of the 2002 Bonds shall be paid into the Waterworks Sinking Fund and shall be used solely for one or more of the purposes permitted thereunder. Pursuant to the Act, the owners of the 2002 Bonds shall be entitled to a lien on the proceeds of the 2002 Bonds until such proceeds are applied as required by this Ordinance and by Indiana law.

(d) Each of the funds and accounts of the Waterworks shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested.

Upon issuance of the 2002 Bonds, moneys held and on deposit in the Waterworks Sinking Fund pursuant to the Prior Ordinances shall be deposited in accordance with the provisions of the Prior Ordinances and as set forth in the Issuer's Certificate.

The City shall enter into an escrow agreement pursuant to which moneys in the amounts required to satisfy the provisions of this Section 9 shall be deposited in an irrevocable escrow account applied to the purposes set forth herein, including, without limitation, the redemption of the Refunded Bonds. The Controller is hereby authorized to appoint an authorized bank or trust company to serve as escrow trustee (such appointment to be reflected in the Issuer's Certificate) and authorizes the Controller to approve such escrow agreement between the City and the escrow trustee in such form as may be necessary or appropriate to accomplish the purposes of this Ordinance, the issuance of the 2002 Bonds, and the refunding of the Refunded Bonds, and further authorizes the Mayor and the Clerk to execute any such Escrow Agreement. The execution, by the Mayor or the Controller or the Financial Advisor or the Purchaser on behalf of the Mayor or the Controller, of a subscription for United States Treasury Obligations -- State and Local Government Series for investments of proceeds of the 2002 Bonds to be held under the escrow agreement in a manner consistent with this Ordinance, if, based on the advice of the Financial Advisor, such subscription is in the best interests of the City, is also hereby approved.

Section 10. Collection of Revenues; Fund Operation, Repair and Maintenance. There shall be set apart and paid out of the gross revenues of the Waterworks into a cash operating fund previously established and continued hereby and designated as the Waterworks

Operation and Maintenance Fund (the "Operation and Maintenance Fund") an amount necessary and sufficient to pay the monthly costs of operating, repairing and maintaining said Waterworks. The moneys credited to the Operation and Maintenance Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the Waterworks on a day-to-day basis, but none of the moneys in the Operation and Maintenance Fund shall be used for extensions, improvements, or additions. Payments in lieu of taxes shall be made not more frequently than semiannually on or about June 30 and December 31 and may be made only if the amounts required to be held as of such dates in the Sinking Fund pursuant to Section 11 are so held. Any balance in the Operation and Maintenance Fund may be transferred to the Sinking Fund if necessary to prevent a default in payment on the then outstanding 2002 Bonds.

Section 11. Sinking Fund for Bonds. The Waterworks Sinking Fund (the "Sinking Fund") previously established and continued hereby and designated and constituted as the special fund for the payment of the interest on and principal of revenue bonds which by their terms are payable from the net revenues of the Waterworks. The Sinking Fund shall be divided into two accounts hereby designated as the Waterworks Debt Service Account (the "Debt Service Account") and the Waterworks Reserve Account (the "Reserve Account").

There shall be set aside from the gross revenues of the Waterworks, after first making the required payments into the Operation and Maintenance Fund, and paid into the Debt Service Account of the Sinking Fund monthly, as available, a sufficient amount of the net revenues of the Waterworks for the payment of (a) the interest on all bonds which by their terms are payable from the net revenues of said Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying such bonds and interest, and (c) the principal of all bonds payable from the net revenues of the Waterworks, as such principal shall fall due. The monthly payments into said Debt Service Account shall be in an amount equal to at least one-sixth ($1/6^{th}$) of the amount required for interest during the next succeeding six (6) calendar months and an amount equal to one-twelfth ($1/12^{th}$) of the amount required for payments during the next succeeding twelve (12) calendar months for the hereinabove described purposes other than interest payments.

There shall be held in said Reserve Account an amount which equals the following with respect to the Prior Bonds, the 2002 Bonds and any additional bonds subsequently issued on a parity with the Prior Bonds and the 2002 Bonds (the "Reserve Requirement"): the lesser of 10% of the proceeds thereof, the maximum annual principal and interest requirements thereon, or 125% of the average annual principal and interest requirements thereon. The Reserve Requirement is hereby determined to be reasonable. All money in the Reserve Account shall be used and withdrawn by the City solely for the purpose of making payment on the Prior Bonds, the 2002 Bonds and any additional bonds subsequently issued on a parity with the Prior Bonds and the 2002 Bonds to the extent that available moneys in the Debt Service Account are insufficient for such purpose, or to make the final payments on such bonds when money in the Reserve Account, together with other money held in the Sinking Fund, is sufficient to make all remaining payments to final maturity, provided, notwithstanding the foregoing, amounts in the Reserve Account in excess of the Reserve Requirement shall be transferred from time to time to the Debt Service Account and thereupon applied to the required payments into the Debt Service Account as provided in the preceding paragraph. In the event moneys held in the Reserve Account are used to pay principal of and interest on the Prior Bonds,

the 2002 Bonds or any additional bonds subsequently issued on a parity with the Prior Bonds and the 2002 Bonds, then such depletion of said Reserve Account to an amount less than the Reserve Requirement shall be made up from available net revenues within twelve (12) months from substantially equal monthly deposits, after required deposits to the Debt Service Account, to restore the balance of the Reserve Account to an amount equal to the Reserve Requirement.

The Reserve Requirement, with respect to the 2002 Bonds, shall be deemed to be satisfied if there is on deposit in the Reserve Account, any surety bond, insurance policy, guaranty, letter of credit or other credit facility in any amount equal to the Reserve Requirement, the issuer of which credit facility is rated at least "AAA" by Standard & Poor's Ratings Group or "Aaa" by Moody's Investor Service.

Any excess revenues of the Waterworks available after making the deposits required by Sections 10 and 11 above may be used to provide or restore any debt service reserve account established to secure junior bonds issued as contemplated by Section 17(c).

In no event shall any part of the Sinking Fund be used in calling bonds for redemption prior to maturity except to the extent that the amount then in the Debt Service Account of the Sinking Fund exceeds the amount required to pay the bonds which will mature within a period of twelve (12) calendar months next following the date of such redemption, together with all interest on the bonds payable in said period. Any such excess of funds above said required level may also be used in purchasing outstanding bonds at a price less than the then applicable redemption price, if first approved by the Common Council. Moneys in the Sinking Fund shall not be used for any purpose whatsoever except as stated in this section.

Section 12. Funding Improvements to the Waterworks and Payments in Lieu of Taxes. Any excess revenues of the Waterworks available after making the deposits required by Sections 10 and 11 may be set aside and paid into the special utility fund which is hereby created and designated as the Waterworks Depreciation Fund (the "Depreciation Fund"), and be used to pay the cost of additions, improvements and extensions to the Waterworks. No revenues of the Waterworks shall be deposited in or credited to the Depreciation Fund which will interfere with the requirements of the Sinking Fund.

In the event of any deficiency at any time in the Operation and Maintenance Fund or the Sinking Fund, funds may be withdrawn from the Depreciation Fund for deposit into said Operation and Maintenance Fund or Sinking Fund in the amount of such deficiency.

Section 13. Separation of Funds; Investment of Moneys Therein. The Waterworks Sinking Fund shall be deposited in and maintained as a separate bank account or accounts from all other bank accounts of the City. The Operation and Maintenance Fund and the Waterworks Depreciation Fund may be maintained in a single bank account, or accounts, but such bank account, or accounts, shall likewise be maintained separate and apart from all other bank accounts of the City and apart from the Waterworks Sinking Fund bank account or accounts. Each of the funds and accounts of the Waterworks shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13-9, as amended. Any interest or income derived from any such investments shall

become a part of the moneys in the fund or account so invested, provided, however, that income derived from investment of moneys in the Debt Service Reserve Account of the Waterworks Sinking Fund shall be deposited to the Waterworks Depreciation Fund.

Section 14. Books and Records of Waterworks. The City shall keep proper books of record and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said works and deposited in said funds, and all disbursements made therefrom on account of the operation of the works, and to meet the requirements on the Waterworks Sinking Fund, and all other financial transactions relating to said works. There shall be prepared and furnished, upon written request, to the original purchasers of the 2002 Bonds and to any subsequent owner of the 2002 Bonds at the time then outstanding, not more than four (4) months after the close of each fiscal year, complete financial statements of the works, covering the preceding fiscal year, which annual statements shall be certified by the Controller, or by licensed independent public accountants employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Controller. Any owner or owners of at least $25,000 of the 2002 Bonds then outstanding shall have the right at all reasonable times to inspect the works and all records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

Section 15. Covenant With Respect to Rates and Charges. The City covenants and agrees that it will establish and maintain just and equitable rates or charges for the use of and the service rendered by said works, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said waterworks by or through any part of the water system of the City, or that in any way uses or is served by such works. Such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of the works, and for the payment of the sums required to be paid into the Waterworks Sinking Fund by the Act and this Ordinance. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance, and the requirements of the Waterworks Sinking Fund. The reasonable value of any facility or service rendered to the City, or to any department, agency or instrumentality thereof, including the use of water for hydrants for fire protection or for any other purpose, shall be charged against the City and shall be paid for as the charges accrue, and the payments so received shall be deemed to be earnings derived from the operation of the Waterworks and shall be used and accounted for in the same manner as other earnings derived from the operation of the Waterworks. In no event shall the annual gross revenues of the Waterworks after payment of the expenses of operation, repair and maintenance (but not including depreciation and payments in lieu of taxes) be less than one hundred and twenty percent (120%) of the annual interest and principal requirements of Prior Bonds and the 2002 Bonds and any additional bonds issued pursuant to Section 16 hereof. For these purposes, the interest rate on variable rate debt shall be assumed to be the average interest rate thereon in the preceding calendar year.

Section 16. Additional Bonds. The City reserves the right to authorize and issue additional bonds, payable out of the net revenues of its waterworks, ranking on a parity with the 2002 Bonds authorized by this Ordinance, for the purpose of financing the cost of future

additions, extensions and improvements to the waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Waterworks Sinking Fund shall have been made in accordance with the provisions of this Ordinance, and the interest on and principal of all bonds payable from the net revenues of the Waterworks shall have been paid to date in accordance with the terms thereof.

(b) As of the time of issuance of the additional parity bonds, the balance in the Reserve Account shall be at least equal to the Reserve Requirement for the Prior Bonds if any are then outstanding, the 2002 Bonds and all then outstanding bonds ranking on a parity therewith, provided, this condition shall be deemed satisfied if any required amount is to be provided from the proceeds of the newly issued parity bonds or other funds of the City, and furthermore, the ordinance authorizing the proposed additional parity bonds must include a provision requiring the City to build the balance in the Reserve Account to an amount equal to the Reserve Requirement for the proposed additional parity bonds, unless the Reserve Account is fully funded as of the time of issuance of the additional parity bonds, from available net revenues within twelve (12) months from substantially equal monthly deposits after required deposits to the Debt Service Account.

(c) The net revenues of the Waterworks in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the bonds authorized by this Ordinance shall be not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity bonds, the water rates and charges shall be increased or the service area or customer base shall be expanded sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced net revenues for said year equal to not less than one hundred twenty percent (120%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the Waterworks shall be analyzed and all showings shall be prepared by a certified public accountant or independent financial advisor employed by the City for that purpose.

(d) The principal of said additional parity bonds shall be payable annually on December 1 and the interest on said additional parity bonds shall be payable semiannually on June 1 and December 1 in the years in which such principal and interest are payable, and, if the additional parity bonds are issued as capital appreciation bonds, the amount payable at maturity thereof shall be payable on June 1 and/or December 1 during the periods in which such maturity amounts are payable.

(e) Additional parity bonds issued as variable rate debt must be assumed to bear the maximum interest rate thereon for the purpose of certifying satisfaction of the 120% condition set forth above, and a maximum rate must be set for any such variable rate additional parity bonds. Furthermore, any put feature associated with such variable rate debt must be covered by remarketing proceeds or a liquidity facility issued by a provider which is either (i) rated in one of the two highest short-term rating categories of Moody's Investors Service or Standard & Poor's Rating Services, or (ii) for as long as any 2002 Bonds are insured by a bond insurer, acceptable to such bond insurer.

Section 17. Additional Covenants of the City. For purposes of further safeguarding the interests of the owners of the 2002 Bonds herein authorized, it is specifically provided as follows:

(a) The City shall at all times maintain the Waterworks in good condition and operate the Waterworks in an efficient manner and at a reasonable cost.

(b) So long as any of the 2002 Bonds are outstanding, the City shall maintain insurance on the insurable parts of the Waterworks of a kind and in an amount such as is customarily carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business in the State of Indiana. In addition to or in lieu of the foregoing, the City may provide for coverage on all or part of the Waterworks comparable to that described above through a self-insurance program. Insurance proceeds shall be used in replacing or repairing the property destroyed or damaged; or, if not used for such purposes, shall be treated and applied as net revenues of the Waterworks.

(c) Except as otherwise provided in Section 16 of this Ordinance, so long as any of the 2002 Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of the Waterworks shall be authorized, executed or issued by the City except such as shall be made subordinate and junior in all respects to the 2002 Bonds, unless all of the 2002 Bonds are defeased, redeemed and retired coincidentally with the delivery of such additional bonds or other obligations.

(d) So long as any of the 2002 Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the Waterworks, or any part thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except to replace equipment which may become worn out or obsolete.

(e) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the 2002 Bonds herein authorized, and after the issuance of the 2002 Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the 2002 Bonds, nor shall the Common Council adopt any law, ordinance or resolution

which in any way adversely affects the rights of such owners so long as any of the 2002 Bonds or the interest thereon remains unpaid. Except for the changes set forth in Section 21(a)-(f), this Ordinance may be amended, however, without the consent of the owners of the 2002 Bonds if the Common Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

(f) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the 2002 Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such respective proceeds until the same are applied in accordance with the provisions of this Ordinance and the Act. The provisions of this Ordinance shall also be construed to create a trust in the portion of the net revenue herein directed to be set apart and paid into the Waterworks Sinking Fund for the uses and purposes of said fund as in this Ordinance set forth. The owners of the 2002 Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act, including the right to have a receiver appointed to administer said waterworks, in the event of default in the payment or the principal of or interest on any of the 2002 Bonds herein authorized or in the event of default in respect to any of the provisions of this Ordinance or the governing Act. The Common Council reserves the right, however, to amend this Ordinance from time to time to preserve the Tax Exemption described in Section 20 hereof without the approval of any owner of the 2002 Bonds so long as the Common Council certifies that such amendment does not violate this subsection (f) of Section 17.

Section 18. Defeasance of the 2002 Bonds. If, when the 2002 Bonds shall have become due and payable in accordance with their terms, or shall have been duly called for redemption, or irrevocable instructions to call the 2002 Bonds for redemption shall have been given and the whole amount of the principal of and interest on and the premium, if any, so due and payable upon all of the 2002 Bonds then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust, and provision shall also be made for paying all fees and expenses for the redemption, then and in such event the 2002 Bonds shall no longer be deemed outstanding or entitled to the pledge of the revenues of the Waterworks.

Section 19. Tax Covenants. In order to preserve the exclusion of interest on the 2002 Bonds from gross income for federal income tax purposes and as an inducement to purchasers of the 2002 Bonds, the City represents, covenants and agrees that:

(a) No person or entity or any combination thereof, other than the City or any other governmental unit within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended (the "Code") ("Governmental Unit"), will use proceeds of the 2002 Bonds or property financed

by the Bond proceeds other than as a member of the general public. No person or entity or any combination thereof other than the City or another Governmental Unit will own property financed by the 2002 Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as take-or-pay or output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large, other than as may be permitted by Revenue Procedure No. 97-13.

(b) No 2002 Bond proceeds will be loaned to any entity or person. No 2002 Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a person or entity other than a Governmental Unit in any manner that would in substance constitute a loan of the 2002 Bond proceeds.

(c) The City will not take, or cause or permit to be taken by it or by any party under its control, or fail to take or cause or permit to fail to be taken by it or by any party under its control, any action with respect to the 2002 Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the 2002 Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion. The City further covenants that it will not make any investment or do any other act or thing during the period that any 2002 Bond is outstanding hereunder which would cause any 2002 Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the 2002 Bonds.

(d) The City will, to the extent necessary to preserve the exclusion of interest on the 2002 Bonds from gross income for federal income tax purposes, rebate all required arbitrage profits on 2002 Bond proceeds or other moneys treated as 2002 Bond proceeds to the federal government and will set aside such moneys in a Rebate Account to be held by the Controller in trust for such purpose.

Section 20. Waiver of Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance ("Tax Sections") which are designed to preserve the tax exempt status of interest on the 2002 Bonds or the exclusion of interest on the 2002 Bonds from gross income under federal law ("Tax Exemption") need not be complied with if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 21. Supplemental Ordinances. Subject to the terms and provisions contained in this Section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental

ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of, mandatory sinking fund redemption date, if any, or interest on any bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this Ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this Ordinance over any other bond or bonds issued pursuant to the provisions of this Ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance; or

(f) A reduction in the Reserve Requirement.

If the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk of the City, no owner of any bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the bonds authorized by this Ordinance, and the terms and provisions of the bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the bonds issued pursuant to this Ordinance then outstanding.

Section 22. Payments on Holidays. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the City or the city in which the Registrar and Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day which is not a legal holiday or a day on

which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

Section 23. The 2002 Bonds shall be offered and sold pursuant to an Official Statement with respect to the 2002 Bonds (the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule"). The Common Council hereby authorizes the Mayor to approve the form of the Preliminary Official Statement upon the advice of counsel with such approval to be conclusively evidenced by signature of the Mayor thereon. The Common Council hereby authorizes the Mayor to deem "final" the Preliminary Official Statement, as of its date, in accordance with the provisions of the Rule, subject to completion as permitted by the Rule, and the Common Council further authorizes the distribution of the deemed final Official Statement. The Common Council hereby authorizes and directs the Mayor, upon the advice of the counsel to place into final form and distribute and cause to be delivered the final Official Statement in accordance with the Rule, and further authorizes the Mayor to execute the final Official Statement. The Common Council covenants and agrees that it will comply with and carry out the continuing disclosure requirements of Section (b)(5) of the Rule. The Common Council hereby authorizes the Mayor to approve a continuing disclosure contract and to execute the same on the date the Bonds are issued

Section 24. Further Actions. The Common Council hereby requests, authorizes and directs the Mayor, the Controller, and the Clerk, and each of them, for and on behalf of the City, to prepare, execute and deliver any and all other instruments, letters, certificates, agreements and documents as are determined to be necessary or appropriate to consummate the transactions contemplated by this Ordinance, and such determination shall be conclusively evidenced by the execution thereof. The instruments, letters, certificates, agreements and documents necessary or appropriate to consummate the transactions contemplated by this Ordinance shall, upon execution, as contemplated herein, constitute the valid and binding obligations or representations and warranties of the City, the full performance and satisfaction of which by the City is hereby authorized and directed.

Section 25. Repeal of Other Ordinances. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed; provided, however, that this Ordinance shall not be construed as repealing or modifying in any respect any of the provisions of the Prior Ordinances as they relate to the Prior Bonds.

Section 26. Captions. The captions in this Ordinance are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this Ordinance.

Section 27. Effective Date. This Ordinance shall be in full force and effect from and upon compliance with the procedures required by law.

PASSED AND ADOPTED by the Common Council of Fort Wayne, Indiana, on the _____ day of _____, 2002.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

By: _____
Member of the Common Council

APPROVED AS TO FORM AND LEGALITY

_____
Timothy A. Manges, City Attorney

APPENDIX A TO
BOND ORDINANCE

FORM OF REGISTERED BOND

(Form of Face of Bond)

UNITED STATES OF AMERICA
STATE OF INDIANA, COUNTY OF ALLEN
CITY OF FORT WAYNE, INDIANA,
WATERWORKS REFUNDING REVENUE BOND OF 2002

No. 02R-__

Interest Rate	Maturity Date	Original Date	Authentication Date	CUSIP No.

Registered Owner: CEDE & Co.

Principal Amount:

The City of Fort Wayne (the "City"), in Allen County, State of Indiana, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, upon surrender hereof, solely out of the special revenue fund hereinafter referred to, the Principal Amount specified above, or the Maturity Date set forth above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Amount is fully paid at the Interest Rate per annum specified above from the Original Date or the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the fifteenth day of the month preceding an interest payment date and on or before such interest payment date, in which case it shall bear interest from such interest payment date, and unless this bond is authenticated on or before November 15, 2002, it shall bear interest from the Original Date, which interest is payable commencing on December 1, 2002, and semiannually on each June 1 and December 1 thereafter. Interest shall be calculated on the basis of a twelve (12) thirty (30)-day months for a three hundred sixty (360)-day year.

The principal of this bond is payable at the principal corporate trust office of _____, in the City of _____, Indiana, or of any successor registrar and paying agent appointed under the Ordinance hereinafter mentioned (the "Registrar" and the "Paying Agent"). Interest hereon will be paid by cash or draft mailed or delivered to the Registered Owner hereof at the address as it appears on the registration books of the Registrar as of the fifteenth day of the month immediately preceding the applicable interest payment date or at such other address as is furnished to the Paying Agent in writing by such Registered Owner. Interest on, together with the principal of, this Bond will be paid directly to The Depository Trust Company, New York, New York ("DTC"), by wire transfer in same day funds by the Paying Agent so long as DTC or its nominee is the registered owner of the Bond. All payments on this bond shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public and private debts.

This bond and the other bonds of this issue, together with the interest payable hereon and thereon, are payable solely from and secured by an irrevocable pledge of and constitute a first charge upon all of the net revenues (defined to be gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance, but not including depreciation and payments in lieu of taxes) derived from the waterworks of the City, including the existing works and all additions and improvements thereto subsequently acquired or constructed; and rank on a parity basis with outstanding revenue bonds of the City, (i) issued pursuant to Ordinance

No. S-41-93, as amended, of the City and designated "City of Fort Wayne, Indiana, Waterworks Refunding Revenue Bonds of 1993," outstanding on the issuance date of this bond in the principal amount of Two Million Four Hundred Thirty-five Thousand and 00/100 Dollars ($2,435,000.00) and payable on December 1, 2002 (the "1993 Bonds") and (ii) issued pursuant to Ordinance No. 79-96 of the City and designated "City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 1997," outstanding on the issuance date of this bond in the principal amount of Five Million Four Hundred Five Thousand and 00/100 Dollars ($5,405,000.00) and payable on December 1 in the years 2002 through and including 2011 (the "1997 Bonds" and with the 1993 Bonds, the "Prior Bonds"). The City shall not be obligated to pay the principal of or interest on this bond except from the special fund, entitled the "Waterworks Sinking Fund" (the "Sinking Fund") heretofore created by ordinance of the City, provided from the net revenues of such waterworks, and neither this bond nor any of the bonds of the issue of which this bond is a part shall constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

The City, the Registrar and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and the interest due hereon and for all other purposes, and none of the City, the Registrar or the Paying Agent shall be affected by any notice to the contrary.

This bond shall not be valid or become obligatory for any purpose or entitled to any security or benefit under the Ordinance unless and until the certificate of authentication hereon shall have been executed by a duly authorized representative of the Registrar.

This bond is one of an authorized issue of bonds of the City of Fort Wayne, Indiana, of like date, tenor and effect, except as to numbering, interest rates and dates of maturity, in the total amount of _____ Dollars ($_____) numbered from 02R-1 upward, issued for the purpose of providing funds to currently refund a portion of the City's outstanding Waterworks Refunding Revenue Bonds of 1993, currently outstanding in the aggregate principal amount of $5,115,000, and all expenses necessarily incurred in connection with the issuance of such bonds, as authorized by an ordinance adopted by the Common Council of the City on the _____ day of August, 2002, entitled "An Ordinance Authorizing the Issuance of Revenue Bonds by the City of Fort Wayne, Indiana, to Provide Funds for the Refunding Prior to Maturity of Certain Previously Issued and Currently Outstanding Waterworks Revenue Bonds, and Authorizing the Collection, Segregation and Distribution of the Revenues of Such Waterworks and Other Related Matters" (the "Ordinance"), and in strict compliance with the provisions of the Indiana Code, Title 36, Article 9, Chapter 23, and Title 5, Article 1, Chapter 5 and the laws amendatory thereof and supplemental thereto (collectively, the "Act").

This bond is issuable only in fully registered form in the denomination of $5,000 or any integral multiple thereof not exceeding the aggregate principal amount of the bonds of this issue maturing in any one year.

The City irrevocably pledges the entire net revenues of the Waterworks to the extent necessary for such purposes, to the prompt payment of the principal of and interest on the bonds of this issue authorized pursuant to the Ordinance, including this bond, the Prior Bonds that remain outstanding and any bonds hereafter issued on a parity herewith and therewith. The City covenants that it will to the fullest extent permitted by law cause to be fixed, maintained and collected such rates and charges for services rendered by such works as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of said works and for the payment of the sums required to be paid into said Sinking Fund under the provisions of said Act and said Ordinance. In the event the City, or the proper officers thereof, shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the principal of or interest on this bond, the Registered Owner of this bond shall have all of the rights and remedies provided for in the Act.

The City further covenants that it will set aside and pay into its Waterworks Sinking Fund a sufficient amount of the net revenues of the Waterworks to meet (a) the interest on all bonds payable from the revenues of the Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying all bonds and interest, (c) the principal of all bonds payable from the revenues of the Waterworks, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance.

The bonds of this issue maturing on or after _____, are subject to redemption prior to maturity, at the option of the City on _____, or any date thereafter, on thirty (30) day notice, in whole or in part, on any date, in order of maturity selected by the City and by lot within any such maturity or maturities by the Registrar at a redemption price equal to one hundred percent (100%) of the principal amount of each bond to be redeemed, plus accrued interest to the date of redemption [and a premium of _____].

Notice of any such redemption shall be sent by registered or certified mail to the Registered Owner of this bond not less than thirty (30) days prior to the date fixed for redemption, unless such notice is waived by the Registered Owner; provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any such bond will not affect the validity of any proceedings for redemption of any other such bonds. The notice shall specify the redemption price, the date and place of redemption, and the registration numbers (and in case of partial redemption, the respective principal amounts) of the bonds called for redemption. Interest on bonds so called for redemption shall cease to accrue on the redemption date fixed in such notice, so long as sufficient funds are available at the place of redemption to pay the redemption price on the redemption date or when presented for payment.

Prior to the date fixed for redemption, funds shall be deposited with the Paying Agent to pay, and the Paying Agent is hereby authorized and directed to apply such funds to the payment of the bonds or portions thereof called, together with accrued interest thereon to the redemption date and any required premium. No payment shall be made by the Paying Agent upon any bond or portion thereof called for redemption until such bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by the Ordinance with respect to any mutilated, lost, stolen or destroyed bond.

If this bond shall have become due and payable in accordance with its terms or this bond or a portion hereof shall have been duly called for redemption or irrevocable instructions to call this bond or a portion hereof for redemption shall be given and the whole amount of the principal and the premium, if any, and interest, so due and payable upon this bond or such portion hereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case this bond or such portion hereof shall no longer be deemed outstanding, entitled to the pledge of the net revenues of the waterworks or an obligation of the City.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such bond or the redemption price, as appropriate, and thereafter the Registered Owner shall look only to the funds so deposited in trust with the Paying Agent for payment, and the City shall have no further obligation or liability with respect thereto.

All bonds which have been redeemed shall be cancelled and cremated or otherwise destroyed and shall not be reissued and a counterpart of the certificate of cremation or other destruction evidencing such cremation or other destruction shall be furnished by the Registrar to the City; provided, however, that one or more new registered bonds shall be issued for the unredeemed portion of any bond without charge to the holder thereof.

Subject to the provisions of the Ordinance regarding the registration of such bonds, this bond and all other bonds of the issue of which this bond is a part are fully negotiable instruments under the laws of the State of Indiana. This bond is transferable or exchangeable only on the books of the City maintained for such purpose at the principal corporate trust office of the Registrar, by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered bond or bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. This bond may be transferred or exchanged without cost to the Registered Owner or his attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be

paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any exchange or transfer of this bond (i) during the fifteen (15) days immediately preceding an interest payment date on this bond, or (ii) after the mailing of any notice calling this bond for redemption. The City, the Registrar and the Paying Agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and the redemption premium, if any, and interest due hereon.

In the event this bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new bond of like date, maturity and denomination as this bond, which new bond shall be marked in a manner to distinguish it from this bond; provided, that in the case of this bond being mutilated, this bond shall first be surrendered to the Registrar, and in the case of this bond being lost, stolen or destroyed, there shall first be furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and to the Registrar, together with indemnity satisfactory to them. In the event that this bond, being mutilated, lost, stolen or destroyed, shall have matured or been called for redemption, instead of causing to be issued a duplicate bond the Registrar and Paying Agent may pay this bond upon surrender of this mutilated bond or upon satisfactory indemnity and proof of loss, theft or destruction in the event this bond is lost, stolen or destroyed. In such event, the City and the Registrar may charge the owner of this bond with their reasonable fees and expenses in connection with the above. Every substitute bond issued by reason of this bond being lost, stolen or destroyed shall, with respect to this bond, constitute a substitute contractual obligation of the City, whether or not this bond, being lost, stolen or destroyed shall be found at any time, and shall be entitled to all the benefits of the Ordinance, equally and proportionately with any and all other bonds duly issued thereunder.

In the manner provided in the Ordinance, the Ordinance and the rights and obligations of the City and the owners of the bonds of this issue authorized thereunder, including this bond, may (with certain exceptions as stated in the Ordinance) be modified or amended with the consent of the owners of at least sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of such bonds exclusive of any such bonds which may be owned by the City.

The bonds authorized and issued pursuant to the Ordinance, including this bond, and the owner of this bond, by the acceptance hereof, hereby agrees to all the terms and provisions contained in the Ordinance.

The City hereby certifies, recites and declares that all acts, conditions and things required to be done precedent to and in the preparation, execution, issuance and delivery of this bond have been done and performed in regular and due form as required by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of its Mayor, countersigned by the manual or facsimile signature of its Controller, and its corporate seal be hereunto affixed and attested by the manual or facsimile signature of its Clerk.

CITY OF FORT WAYNE, INDIANA

By:_____
Mayor

(Seal of the City)

By:_____
Controller

ATTEST:

_____
Clerk

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This bond is one of the City of Fort Wayne, Indiana, Waterworks Revenue Bonds of 2002, described in the within-mentioned Ordinance.

_____,
as Registrar

By:_____
Authorized Officer

The following abbreviations, when used in the inscription of the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM.	as tenants in common
TEN. ENT.	as tenants by the entireties
JT. TEN.	as joint tenants with right of survivorship and not as tenants in common
UNIF. GIFT MIN. ACT	_____ Custodian _____ (Cust.) (Minor) under Uniform Gifts to Minors Act of _____ (State)

Additional abbreviations may also be used although not in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ _____ (insert name and address) the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ _____ attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

_____
NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guarantee:

_____
NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Security Transfer Association recognized signature guarantee program.

OLD MILL – WATER MAIN REPLACEMENT
RESOLUTION NO. 1110-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,500 LF of 6" and 8" water main, seven (7) fire hydrants, 44 services and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "OLD MILL – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $210,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 7 DAY OF August, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6901-02
RETAINING WALL AT NORTHSIDE DRIVE / GLAZIER AVE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **PLACE A RETAINING WALL AT THE CORNER OF NORTH SIDE DRIVE AND GLAZIER AVENUE BY PLACING A POURED FORMED REINFORCED CONCRETE HEADWALL OVER AN EXISTING MANHOLE TO IMPROVE CONFINED SPACE.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 14th day of Aug, 2012.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: RETAINING WALL @ NORTHSIDE DR. / GLAZIER AVE **RES. NO.: 6901 - 02**

BID DATE: **B.O. NO.:**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	COMMON EXCAVATION	31	CY	$25.00	$775.00
2.	CLASS " A " CONCRETE FOR STRUCTURE { FORMED CONCRETE }	16	CY	$675.00	$10,462.50
3.	REINFORCING STEEL	2,134	Lb	$1.25	$2,667.50
4.	ADJUST CASTING TO GRADE	1	EA	$250.00	$250.00
5.	HAND RAIL	10	LF	$65.00	$650.00
6.	SPECIAL BORROW FOR STRUCTURE BACKFILL [FLOWABLE FILL]	7	CY	$135.00	$945.00
7.	GROUTED RIP RAP { DEPTH 18 INCH }	7	SY	$35.00	$245.00
8.	TOP SOIL	2	TON	$25.00	$50.00
9.	MULCHED SEEDING	5	SY	$4.00	$20.00

SUB-TOTAL:	$16,065.00
E&I @16%	2,570.40
TOTAL:	**$18,635.40**

IMPROVEMENT RESOLUTION NO. 6903-02
COLUMBIA ST: CLAY ST. TO RAILROAD VIADUCT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **COLUMBIA ST. FROM THE CLAY ST. TO THE RAILROAD VIADUCT BY WIDENING OUT THE SOUTHWEST CORNER OF COLUMBIA ST. AND CLAY ST. WITH NEW CONCRETE PAVEMENT AND CURBS.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 14th day of Aug., 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: Columbia St. Clay St. to Railroad Viaduct RES. NO.: 6902-02

DATE: 8/5/2002 B.O. NO.: 85-02

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Common Excavation	42	CY	15.00	630.00
2.	Removal of Curb	155	LF	5.00	775.00
3.	Removal of Concrete	20	SY	6.00	120.00
4	Cement Concrete Pavement Plain 8"	50	SY	41.00	2050.00
5.	Concrete Curb Type "II-A"	177	LF	7.50	1327.50
6.	Concrete Sidewalk	5	SY	22.00	110.00
7.	Remove and Repalce Concrete Wingwalk And ADA Curb Ramps (ea)	10	SY	40.00	400.00
8.	Anchor Bolts	30	EA	7.00	210.00
9.	Bed Coarse Material	2	TON	10.00	20.00
10.	Backfill For Behind Curbs	15	TON	10.00	150.00
11.	Top Soil	5	TON	15.00	75.00
12.	Mulched Seeding	80	SY	2.00	160.00
13.	Type "O" Aggregrate for Base, No. 53	12	TON	15.00	180.00
14.	Standard Barricade Type III	4	EA	65.00	260.00
15.	Construction Signs Type "A"	6	EA	80.00	480.00
16.	Mobilization and Demobilization	1	LS	500.00	500.00
17.	Maintenance of Traffic	1	LS	500.00	500.00

SUB-TOTAL: 7947.50
E&I @16% 1271.60

TOTAL: 9219.10

INWOOD DRIVE COMBINATION SEWER REHABILITATION
RESOLUTION NO. 681-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the CIPP Lining of approximately 300 LFT of 39" X 60" RCP pipe.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Inwood Drive Combination Sewer Rehabilitation.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne_Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $135,000.

APPROVED THIS 28 DAY OF August, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6887-02
MISCELLANEOUS CONSTRUCTION PACKAGE 2-A-02

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW/CEDIT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **SIDEWALK IMPROVEMENTS AT 5611 KIPLING CT; SIDEWALK IMPROVEMENTS AT 5012 MAPLE TERRACE PARKWAY,; CURB AND DRIVE IMPROVEMENTS AT 5601 TRISHLYN COVE; DRIVE APPROACH IMPROVEMENTS AT 2808 CLARA AVENUE; CONCRETE REPAIRS AT THE INTERSECTION OF ROTHMERE AND NORWARD; SIDEWALK IMPROVEMENTS AT 4131 OLD MILL RD; DRIVE APPROACH IMPROVEMENT AT 1701 RANDALIA DRIVE; ADA RAMPS AT THE INTERSECTION OF LAKE AVE AND RANDALIA DRIVE; ARLINGTON PARK WALKWAY WALL RESTORATION.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR CURBS, DRIVEWAY APPROACHES & STREET shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for PAVEMENT RECONSTRUCTION shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 4 day of September, 2002.

BOARD OF PUBLIC WORKS

TED RHINEHART
Chairman

DENISE PORTER-ROSS
Member

JOHN SUAREZ
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

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ESTIMATE OF QUANTITIES

PROJECT: Miscellaneous Package 2-A-02 **RES. NO.: 6887-02**

DATE: 8/27/2002 **B.O. NO.: 70-01, 94-01**

BID DATE: 9/18/02

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curbs	188	LFT	5.00	940.00
2.	Removal of Concrete	322	SYS	6.00	1932.00
3.	Removal of Pavement	180	SYS	7.50	1350.00
4.	Anchor Bolts	39	EA	7.00	273.00
5.	Cement Concrete Pavement, Plain, 6 Inches	180	SYS	25.00	4500.00
6.	Concrete Sidewalk	177	SYS	22.00	3894.00
7.	Concrete Curb Type "II-A"	85	LFT	7.50	637.50
8.	Concrete Curb Type "II-B"	15	LFT	11.00	165.00
9.	Concrete Curb Type "III"	43	LFT	11.00	473.00
10.	Concrete Pavement for Residential Drive	147	SYS	25.00	3675.00
11.	Curb Ramp Type "C"	9	SYS	40.00	360.00
12.	Topsoil	21.5	TON	15.00	322.50
13.	Fertilize Trees	4	EA	30.00	120.00
14.	Mulched Seeding	151	SYS	2.00	302.00
15.	Backfill Behind Curbs	15	TON	6.00	90.00
16.	Water Valves (Curb Box) Adjusted to Grade	2	EA	35.00	70.00
17.	Castings Adjusted To Grade	2	EA	175.00	350.00
18.	Type "O" Compacted Aggregate For Base, No. 53	20	TON	15.00	300.00
19.	Concrete Tunnel Repairs at Arlington Pkwy & Roanoke	1	LS	3000.00	3000.00
20.	Construction Sign, Type A	14	EA	80.00	1120.00
21.	Maintenance of Traffic	1	LS	1220.00	1220.00
22.	Mobilization and Demobilization	1	LS	1220.00	1220.00
23.	Concrete Curb Type "I-B Special"	40	LFT	14.00	560.00
24.					0.00

SUB-TOTAL:	26874.00
E&I @16%	4299.84
TOTAL:	**31173.84**

BARRETT LAW INDIVIDUAL PETITIONS

RES. NO.: 6887-02
B.O. NO.: 70-01, 94-01
DATE:

Misc. Pkg. 2-A-02

					type 1-B	Property Owners Share			special"1-A"	type III	
					C=$/L.F.	E=$/L.F.	H=$/S.Y.	I=$/S.Y.	C=$/L.F.	C=$/L.F.	
					11.50	11.50	20.50		20	12.00	
Council distist		PROPERTY OWNER & ADDRESS	aggrement letter sent	aggrement letter recieved		C=curb total $	E=walks total $	H=drive total $	I=yard walk total $			Totals (P.O.)
5	1	Josephine K. Rothberg 4131 Old Mill Rd	x	x	UNITS	0.00	2537.97 218.00	738.00 36.00	0.00	0.00	432.00 36.00	$3,707.97
2	2	Joseph & Maria Sciole 5601Trishlyn Cove	x	x	UNITS	0.00	103.50 9.00	697.00 34.00	0.00	400.00 20.00	0.00	$1,200.50
2	3	Stephen & Juliana Bird 5607 Trishlyn Cove	x	x	UNITS	0.00	103.50 9.00	697.00 34.00	0.00	400.00 20.00	0.00	$1,200.50
2	4	Kim Lettau 5611 Kipling Ct.	x	x	UNITS	0.00	142.26 12.37	0.00	0.00	0.00	0.00	$142.26
2	5	Ronald Klooze 5012 Maple Terrace Parkway 46835	x	x	UNITS	0.00	747.50 65.00	410.00 20.00	0.00	0.00	0.00	$1,157.50
2	6	Dean & Carol Sebastian 2808 Clara Ave. 46805	x	x	UNITS	0.00	0.00	430.50 21.00	0.00	0.00	0.00	$430.50
												$7,839.22

	60% p.o. share	40% city share/dist	100% city	TOTALS	
council dist. 1				$2,882.36	council dist. 1
council dist.2	$4,131.26	$2,754.17	$14,019.63	$18,022.70	council dist.2
council dist3	$0.00	$0.00			council dist3
council dist.5	$3,707.97	$2,260.98		$5,968.95	council dist.5
TOTALS	$7,839.22	$5,015.15	$14,019.63	$26,874.00	

IMPROVEMENT RESOLUTION NO. 6904-02

PARKWEST CENTER ACCESS TO ILLINOIS ROAD, SOUTH

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

PARKWEST CENTER ACCESS TO ILLINOIS ROAD, SOUTH BY NEW ASPHALT DRIVEWAY APPROACH WITH COMPACTED AGGREGATE BASE, CULVERT PIPE AND OTHER RELATED ROADWAY WORK.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 4 day of September, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

EMERGENCY RESOLUTION NUMBER 89-281-18
EDGEKNOLL LANE

WHEREAS, an existing 12" RCP storm line has collapsed, along the easement at 216 Edgeknoll Lane and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 12" RCP storm line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Allstar Inc., Dafforn Excavating and Fleming Exc., were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 10th day of Sept., 2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By Denise Porter Ross
Denise Porter Ross, Member

By John Suarez
John Suarez, Member

ATTEST: Carolyn Newport
Carolyn Newport, Clerk

216 EDGEKNOLL LANE
SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Remove and replace the collapsed existing 12" storm sewer line, with 12" HDPE, SDR 17. Repair and replace existing asphalt driveway, concrete parking area, sidewalk, curbs and gutter. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, saw cutting of asphalt or concrete, any required bypass pumping and/or trench dewatering, proper backfilling and proper compaction, pipe bursting and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Performance and Guaranty Bond
4. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
5. Contractor shall be required and responsible for placing and maintaining temporary barricades.
6. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
8. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

216 EDGEKNOLL DRIVE
SEWER EMERGENCY REPAIRS

BASE BID:
ITEM NO. 1

All costs to complete all work to remove and replace the existing 12" storm line with 12" HDPE, SDR 17,. All cost associated with the restoration of all disturbed areas, including asphalt drive, concrete parking area,.

LUMP SUM $_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2002.

FROM_____
Contractor

BY_____

THREE RIVERS FILTRATION PLANT
HIGH SERVICE PUMP 2 AND 9 PROJECT
RESOLUTION NO. 1525-2002

Direct Purchase of High Service Pumping Electrical Equipment

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

WHEREAS, The City's water supply is dependent upon the high service pumps at the Three Rivers Filtration Plant, and

WHEREAS, The reliability of the electrical components of the existing variable speed pumps must be maintained, and

WHEREAS, The City has determined the need to upgrade and replace worn and unreliable electrical controls for the 24-hour per day water distribution pumping, and

WHEREAS, The schedule to complete this project before summer 2003 peak pumping season includes a nine month order, fabrication, delivery, and installation, and

WHEREAS, Time is of the essence and in order to complete the installation and testing of the equipment it is necessary to order electrical equipment in October, 2002.

NOW THEREFORE BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne Indiana that authorizes the pre-purchase of two transformers, two variable frequency drives, and two pump motors for the High Service Pump 2 and 9 at an estimated cost of $480,000 for the Water Utility.

ESTIMATED COSTS:

Two Transformers	$46,000
Two Variable Frequency Drives	$350,000
Two Pump Motors	$84,000
Total	$480,000

SCHEDULE:

Order Electrical Equipment	October 2002
Equipment Installation Start	April 2003
Startup	June 2003

APPROVED THIS 10th DAY OF Sept, 2002

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

OK Mark Gibson 9-10-02

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn Newport

BURNS BLVD – WATER MAIN REPLACEMENT
RESOLUTION NO. 1112-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,555 LF of 6" water main, three (3) fire hydrants, 27 services and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "BURNS BLVD – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $135,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 10th DAY OF Sept, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

NORTH MAUMEE INTERCEPTOR CLEANING
RESOLUTION NO. 1542-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the cleaning of a total of approximately 3,908 LFT of the 48", 72", and 84" RCP pipe, on the North Maumee Sanitary Sewer Interceptor.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, North Maumee Interceptor Cleaning

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne_Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $311,000.

APPROVED THIS 18th DAY OF Sept, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: John Suarez
John Suarez, Member

BY: Denise Porter Ross
Denise Porter Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 89-2857

WHEREAS, the City of Fort Wayne through the Board of Public Works is planning to negotiate a contract to provide Fuel Cards for certain City owned vehicles and equipment to purchase fuel at designated locations; and

WHEREAS, the City Purchasing Department issued RFP #1700 on June 21, 2002 requesting proposals to provide the City with a Fuel Card Service; and

WHEREAS, a proposal review team was selected to review all proposals and recommend a single proposer to begin negotiating a contract for a Fuel Card Service; and

WHEREAS, the proposal review team recommended Professional Fleet Services, LLC as the lowest and most responsive proposer, and the City Purchasing Department issued an award letter to Professional Fleet Services, LLC on September 9, 2002.

NOW, THEREFORE, the Board of Public Works authorizes Professional Fleet Services, LLC to immediately begin negotiating a contract proposal with the City Fleet Management Department, to provide the City with a Fuel Card Service and to submit the contract proposal to the Board of Public Works for approval.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn L. Newport, Clerk

September 18th, 2002

RESOLUTION 89-291-31

A RESOLUTION DESIGNATING AN AUTHORIZED REPRESENTATIVE TO COORDINATE DETERMINING EFFECTS REGARDING THE HISTORIC AND ENVIRONMENTAL CONSIDERATIONS OF THE

WEST JEFFERSON BOULEVARD GREENWAY EXTENSION PROJECT

WHEREAS, The City of Fort Wayne, Indiana is the lead applicant for a TEA 21 grant from the Indiana Department of Transportation for the West Jefferson Boulevard Greenway Extension Project, and;

WHEREAS, federal and state requirements exist specifying that the project's potential effects on historic resources shall be determined by the lead applicant for funds, and;

WHEREAS, such federal and state requirements also allow the lead applicant to designate an authorized representative to assume primary responsibility for coordination of the required determination of effect;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, THAT:

1. Bonar Group, 616 South Harrison Street, Fort Wayne, Indiana 46802, as the City's consultant for the project, is hereby authorized to serve as the City of Fort Wayne duly authorized representative in coordinating the required determination of effect on historic resources, and;

2. That, in addition to the City of the following agencies shall be notified and the consulted with in making such determination of effect, in accordance with all guiding state and federal requirements for such process:

   a) Allen County Historical Society
   b) Allen County Historian
   c) Indiana State Historic Preservation Officer (SHPO)
   d) Historic Landmark Association of Indiana
   e) Miami Indian Tribe
   f) WEA Indian Tribe
   g) Pokagon Band of Potawatomi Indians

PASSED AND ADOPTED THIS 18 day of Sept, 2002 by the Board of Public Works of the City of Fort Wayne, Indiana

- Board of Public Works -

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST:

CAROLYN S. NEWPORT, CLERK

RESOLUTION NO. 89-294-7

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, REGARDING THE APPROVAL OF FORMS OF BOND ORDINANCES, RECOMMENDING THEIR ADOPTION TO THE COMMON COUNCIL OF THE CITY AND AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM BONDS AND OTHER RELATED MATTERS

WHEREAS, the Board of Public Works (the "Board") of the City of Fort Wayne, Indiana (the "City"), desires to proceed with the acquisition and installation of an Automated Meter Reading System (the "Project") which Project will benefit equally the City's sewage works and waterworks; and

WHEREAS, the Board desires to recommend to the Common Council of the City (the "Common Council") to approve of the issuance of sewage works revenue bonds in one (1) or more series in an aggregate principal amount not to exceed the amount specified in the Sewage Works Bond Ordinance presented to the Board at this meeting (the "Sewage Bond Ordinance") in order to pay for one-half (1/2) of the cost of the Project, such bonds to be on parity with outstanding sewage works revenue bonds issued by the City in 1993, 1994, 1998 and 2002 and junior to outstanding sewage works revenue bonds issued by the City in 1985; and

WHEREAS, the Board desires to recommend to the Common Council of the City (the "Common Council") to approve of the issuance of waterworks revenue bonds in one (1) or more series in an aggregate principal amount not to exceed the amount specified in the Waterworks Bond Ordinance presented to the Board at this meeting (the "Waterworks Bond Ordinance") in order to pay for one-half (1/2) of the cost of the Project, such bonds to be on parity with outstanding waterworks revenue bonds issued by the City in 1997 and 2002; and

WHEREAS, proposed forms of the Sewage Bond Ordinance and Waterworks Bond Ordinance to finance the cost of the Project have been duly considered by the Board and found to be satisfactory; and

WHEREAS, the Board desires to recommend the adoption of the proposed Sewage Bond Ordinance and Waterworks Bond Ordinance to the Common Council; and

WHEREAS, the Common Council will consider issuing the City of Fort Wayne, Indiana, Sewage Works Junior Revenue Bonds, Series 2002 C (the "Sewage Bonds") for the purpose of providing funds to pay for one-half (1/2) of the cost of the Project; and

WHEREAS, the Common Council will consider issuing the City of Fort Wayne, Indiana, Waterworks Revenue Bonds, Series 2003 (the "Water Bonds") for the purpose of providing funds to pay for the remaining one-half (1/2) of the cost of the Project; and

WHEREAS, certain preliminary costs in financing the Project, have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Sewage Bonds and the Water Bonds; and

WHEREAS, the City reasonably expects to reimburse such preliminary costs of the Project equally with proceeds of the Sewage Bonds and the Water Bonds; and

WHEREAS, the Board desires to declare the official intent of the City, pursuant to I.C. 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"), that said preliminary costs be reimbursed from the proceeds of such bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board requests that the Common Council authorize the issuance of sewage works revenue bonds in an aggregate principal amount not to exceed the amount in the Sewage Bond Ordinance on the terms and conditions set forth in the Sewage Bond Ordinance which Sewage Bond Ordinance is hereby approved in the form presented to this Board at this meeting.

2. The Board requests that the Common Council authorize the issuance of waterworks revenue bonds in an aggregate principal amount not to exceed the amount in the Waterworks Bond Ordinance on the terms and conditions set forth in the Waterworks Bond Ordinance which Waterworks Bond Ordinance is hereby approved in the form presented to this Board at this meeting; and

3. The Board hereby approves and authorizes the filing of said Sewage Bond Ordinance and Waterworks Bond Ordinance with the City Clerk for presentation to the Common Council and directs the Clerk of the Board to present a copy of this Resolution to the City Clerk for presentation to the Common Council as soon as may be done.

4. The Board hereby declares the official intent of the City, pursuant to I.C. 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations, that preliminary costs incurred by or on behalf of the City in financing the construction of the Project be reimbursed equally from the proceeds of the Sewage Bonds and the Water Bonds.

5. This resolution shall be in full force and effect from and after its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on October 2, 2002, at the City-County Building, Omni Room, Room 250, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Ted Rhinehart

Denise Porter Ross

John Suarez

ATTEST:

Carolyn S. Newport, Clerk

VENTURA LANE WEST
STORMWATER SYSTEM IMPROVEMENT
RESOLUTION NO. 672-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of stormwater system improvements along the 800 and 900 blocks of Ventura Lane, including approximately 520 lineal feet of storm sewers and culverts, and 1200 lineal feet of swale improvements.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "**Ventura Lane West Stormwater System Improvement** ".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "VENTURA LANE WEST STORMWATER SYSTEM IMPROVEMENT" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "VENTURA LANE WEST STORMWATER SYSTEM IMPROVEMENT" project is of public utility and benefit.

Declares that the Board of Stormwater Management will acquire the property rights described in Exhibit "A" (Property Acquisition Summary sheet) by the method described in Exhibit "A", and states that the maximum proposed cost of land to be purchased is $2,170.00.

Declares the engineer's estimate of the project's total cost is $95,000.00.

Declares that the project will not change fees currently paid by area property owners.

ADOPTED THIS 2nd **DAY OF** Oct. **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart , Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

STANDISH DRIVE
STORMWATER SYSTEM IMPROVEMENTS
RESOLUTION NO. 671-2002

RESOLUTION by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

Orders the construction of stormwater system improvements along the 4600 block of Standish Drive, including approximately 1200 lineal feet of storm sewers and appurtenants structures, and 1300 lineal feet of swale and culvert improvements.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "**Standish Drive, Pettit Avenue To Capitol Drive, Drainage Improvements** ".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "STANDISH DRIVE STORMWATER SYSTEM IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "STANDISH DRIVE STORMWATER SYSTEM IMPROVEMENTS" project is of public utility and benefit.

Declares that the Board of Stormwater Management will acquire the property rights described in Exhibit "A" (Property Acquisition Summary sheet) by the method described in Exhibit "A", and states that the maximum proposed cost of land to be purchased is $2,170.00.

Declares the engineer's estimate of the project's total cost is $109,582.00.

Declares that the project will not change fees currently paid by area property owners.

ADOPTED THIS 2nd **DAY OF** Oct. **, 2002.**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Ted Rhinehart , Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

EMERGENCY RESOLUTION NUMBER 89-298-21
WILLOWDALE ROAD

WHEREAS, the existing 10" VCP sanitary sewer pipes have collapsed, behind the homes north of Willowdale Road;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 10" VCP combination line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T-C Inc. and Peterson Inc.. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 2nd day of Oct ,2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By Denise Porter Ross
Denise Porter Ross, Member

By John Suarez
John Suarez, Member

ATTEST: Carolyn Newport
Carolyn Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6905-02
EAST CENTRAL – LAREZ NEIGHBORHOODS: ALLEYS

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: **EAST CENTRAL – LAREZ NEIGHBORHOODS: EAST/WEST ALLEY NORTH OF 900 BLOCK OF EAST BERRY STREET AND EAST/WEST AND NORTH/SOUTH ALLEY NORTH OF THE 600 BLOCK OR EAST CREIGHTON STREET.**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted, this 2nd day of Oct, 2002.

BOARD OF PUBLIC WORKS

Ted Rhinehart
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

RESOLUTION NO. 89-301-29

ACQUISITION OF STORMWATER EASEMENT

WHEREAS, the City of Fort Wayne, through its Division of City Utilities desires to purchase a stormwater easement located on certain property located on East Pontiac Street specifically described in Exhibit "A"; and

WHEREAS, the City Utilities desires to acquire this easement as part of a project designed to reduce basement backups caused by overloaded combined sewers in the vicinity of McMillen Park; and

WHEREAS, the cost of acquiring said easement is Thirty One Thousand Five Hundred and no/100 Dollars – ($31,500.00); and

NOW, THEREFORE, be it resolved that the Board of Public Works for the City of Fort Wayne, Indiana hereby declares that it is the desire of the Board to acquire the easement described in Exhibit "A" and authorizes the appropriate officials of the City to execute all documents necessary to accomplish said acquisition.

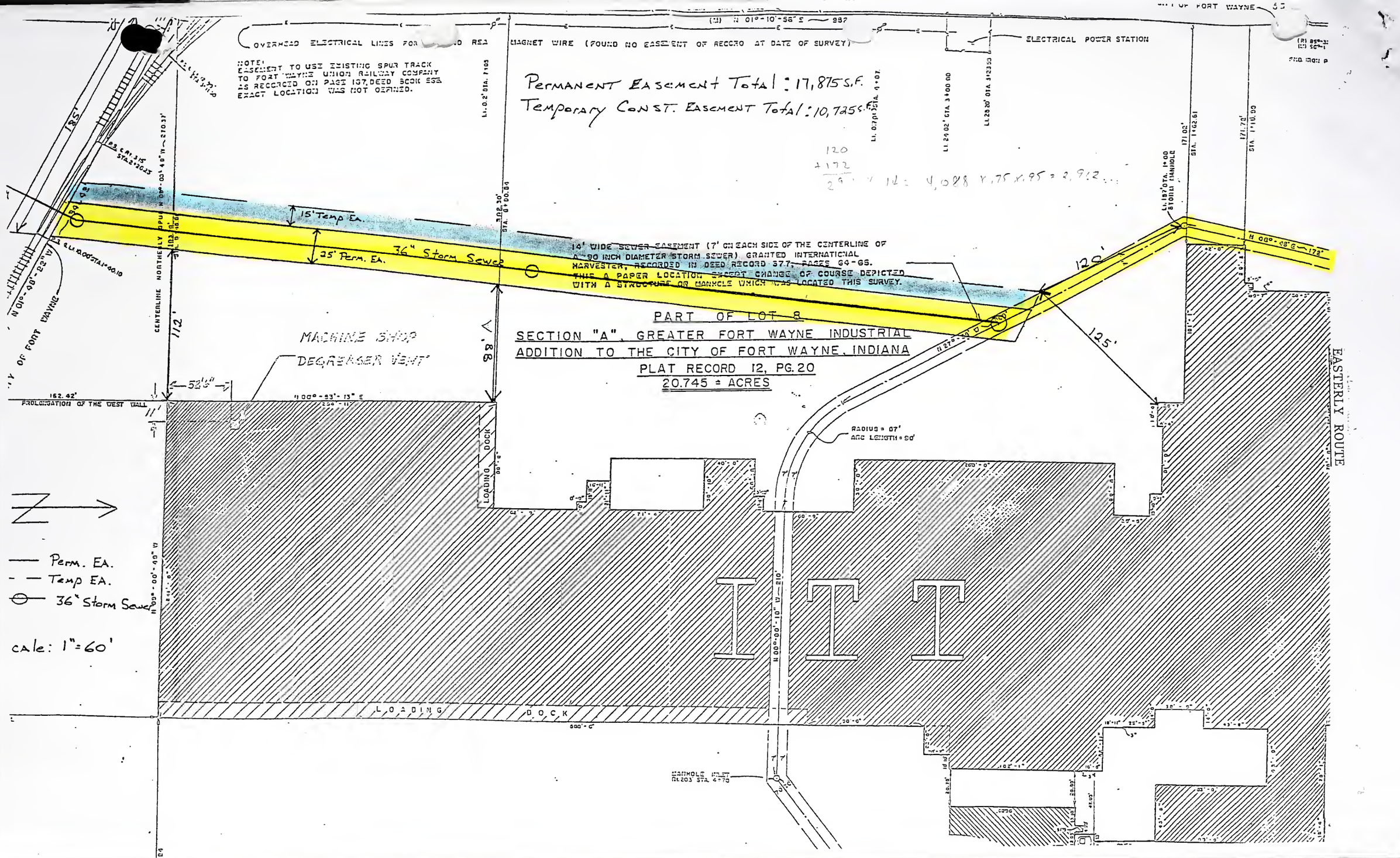
CITY OF FORT WAYNE, INDIANA
BY ITS BOARD OF PUBLIC WORKS

Ted Rhinehart, President

John Suarez, Member

~~Diense~~ Denise Porter-Ross, Member

Attest:


OVERHEAD ELECTRICAL LINES FOR
MAGNET WIRE (FOUND NO EASEMENT OF RECORD AT DATE OF SURVEY)
ELECTRICAL POWER STATION
NOTE: EASEMENT TO USE EXISTING SPUR TRACK TO FORT WAYNE UNION RAILWAY COMPANY AS RECORDED ON PAGE 197, DEED BOOK 556. EXACT LOCATION WAS NOT DEFINED.
Permanent Easement Total: 17,875 S.F.
Temporary Const. Easement Total: 10,725 S.F.
15' Temp Ea.
25' Perm. Ea.
36" Storm Sewer
14' WIDE SEWER EASEMENT (7' ON EACH SIDE OF THE CENTERLINE OF A 90 INCH DIAMETER STORM SEWER) GRANTED INTERNATIONAL HARVESTER, RECORDED IN DEED RECORD 577, PAGES 64-65. THIS A PAPER LOCATION, EXCEPT CHANGE OF COURSE DEPICTED WITH A STRUCTURE OR MANHOLE WHICH WAS LOCATED THIS SURVEY.
PART OF LOT 8
SECTION "A", GREATER FORT WAYNE INDUSTRIAL ADDITION TO THE CITY OF FORT WAYNE, INDIANA
PLAT RECORD 12, PG. 20
20.745 ± ACRES
MACHINE SHOP
DEGREASER VENT
CENTERLINE NORTHERLY SPUR
112'
185'
125'
129'
162.42' PROLONGATION OF THE WEST WALL
RADIUS = 67'
ARC LENGTH = 90'
LOADING DOCK
EASTERLY ROUTE
MANHOLE INLET
Perm. EA.
Temp EA.
36" Storm Sewer
Scale: 1" = 60'

HIGH SERVICE PUMPS NO. 2 & NO. 9 IMPROVEMENT PROJECT
THREE RIVERS FILTRATION PLANT
RESOLUTION NO. 1550-2002

Final Design of Electrical and Variable Frequency Drive (VFD) Upgrades and Replacements for High Pressure Distribution System Pumps

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

WHEREAS, the existing high service water pumps at the Filtration Plant supply pressure and flow to the entire City and all water customers, and

WHEREAS, the amount of water needed and used varies depending on time of day and season of the year, and

WHEREAS, in order to match high-service pumping rates to the variable needs of our customers, it is necessary to have reliable variable speed pumping, and

WHEREAS, because of the age and condition of the variable speed pumps, it is necessary to make these improvements and upgrade the electrical and variable frequency drives, and

WHEREAS, the Board of Public Works in September, 2002 approved the direct purchase of two transformers, two variable frequency drives, and two pump motors via Resolution No. 1525-2002 at an estimated cost of $480,000, and

WHEREAS, the total project budget including this final design fee, the direct purchase of electrical parts and the construction and installation contract is $1,500,000

WHEREAS, the schedule is to complete this project by June, 2003 in order to be ready for year 2003 peak water demand season,

NOW THEREFORE BE IT RESOLVED that the Board of Public Works of the City of Fort Wayne authorizes the final design, bid, and construction of the Filtration Plant High Service Pumps No. 2 and No. 9 Improvement project in order to replace worn and unreliable electrical components of these pumps.

APPROVED THIS 16th DAY OF Oct., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

MOUNT VERNON PARK ADDITION
– WATER MAIN REPLACEMENT
RESOLUTION NO. 1111-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 7,340 LF of 6" and 8" water main, fifteen (15) fire hydrants, 202 services and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "MOUNT VERNON PARK ADDITION – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $585,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 25th DAY OF Oct., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

EMERGENCY RESOLUTION NUMBER 89-332-34
921 COLUMBIA

WHEREAS, an existing 15" VCP combination line has collapsed, in the alley behind 921 Columbia and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 15" VCP combination line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Liberty Exc., Geiger Developing and T&E Exc., were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 25th day of Oct., 2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
Denise Porter Ross, Member

By _____
John Suarez, Member

ATTEST: _____
Carolyn Newport, Clerk

TAYLOR STREET COMBINATION SEWER REHABILITATION

RESOLUTION NO. 680-2002

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the rehabilitation of approximately 125 lft. +/- of 72" brick combination sewer, using the Channeline method of repair.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "TAYLOR STRET COMBINATION SEWER REHABILITATION" . Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue)/ Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 290,000.

APPROVED THIS 30th DAY OF October, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

EMERGENCY RESOLUTION NUMBER 79-337 22 (3)
2604 ST. MARY'S AVENUE

WHEREAS, the existing storm inlets line have settled along the east edge of S. Mary's Avenue, and;

WHEREAS, said settlement could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the settlement is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Benchmark, Hipskind and Brooks, will be invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 30th day of October ,2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By _____
Denise Porter Ross, Member

By _____
John Suarez, Member

ATTEST: _____
Carolyn Newport, Clerk

RESOLUTION AUTHORIZING LEASE IN SUPPORT OF THE AUTOMATED METER READING SYSTEM BY THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

Whereas, the City of Fort Wayne Board of Public Works has previously approved a contract for the procurement and installation of Automated Meter Reading devices throughout the City; and

Whereas, said contract requires the City of Fort Wayne to provide facilities to be used by United Metering Installation in facilitation of its installation; and

Whereas, after a reasonable search, the Utility has obtained a satisfactory facility at a very reasonable price; and

Whereas, the Utility has negotiated the essentials of a lease which is attached hereto as Exhibit A and incorporated herein by this reference.

NOW, THEREFORE BE IT RESOLVED that the Board of Public Works hereby the attached lease in support of the installation requirements of the Automated Meter Reading System and specifically directs the Utility to take any and all necessary measures in inspecting and securing these premises for use by United Metering Installation in support of the Automated Meter Reading System.

Approved this 6th day of Nov., 2002

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn S. Newport, Clerk

11/6/02
Date

Document Prepared by: James T. Howard, Attorney for the Board of Public Works

LEASE AGREEMENT

Dated November ____, 2002

1. Basic Lease Provisions.

For and in consideration of the terms and conditions contained herein, Landlord agrees to lease to Tenant and Tenant agrees to lease from Landlord the office and warehouse space described below. Each reference in this Lease Agreement and the Exhibits attached hereto and made a part hereof ("Lease") to any of the terms described in this Section 1 will mean and refer to the following terms. Other terms are defined elsewhere in this Lease:

1.1. Landlord: K&H Realty Corporation

1.2. Tenant: City of Fort Wayne, Indiana

1.3. Premises: Certain floor space within the building located upon real estate described on Exhibit A ("Real Estate"), commonly known as 4115 North Clinton Street, Fort Wayne, Indiana 46805 ("Building"). Landlord leases the Premises to Tenant subject to the covenants, easements, conditions and restrictions of record, and to the provisions of the applicable building codes and zoning ordinances.

1.4. Floor Space: That certain floor space within the Building constructed upon the Real Estate containing approximately 4,000 square feet as shown on Exhibit B.

1.5. Commencement Date: November 1, 2002.

1.6. Term: November 1, 2002 through October 31, 2003.

1.7. Base Rent: $9,000.00 per annum payable in advance in monthly installments of $750.00.

1.8. Permitted Uses: Office and warehouse uses.

1.9. Tenant's Address for Notice:
City of Fort Wayne
City Utilities
4th Floor
City/County Building
One East Main Street
Fort Wayne, IN 46802

1.10. Landlord's Address for Notice and Payment:
K&H Realty Corporation
Post Office Box 12000
Fort Wayne, IN 46856-1200

EXHIBIT A

2. Term and Termination.

2.1. Term: The Term, subject to all of the provisions and conditions herein, shall be one (1) year, beginning on November ____, 2002 (the "Commencement Date") and terminating October 31, 2003 (the "Termination Date").

2.2. Surrender: Tenant covenants and agrees that, upon the Termination Date, it will at once surrender and deliver up the Premises peaceably and in as good a condition as when Tenant took possession, excepting ordinary wear and tear, approved alterations and changes, and damage caused by perils which are covered by insurance.

2.3. Holding Over: Tenant shall have no right to hold over after the expiration or earlier termination of this Lease, without the prior written consent of Landlord, which will not be unreasonably withheld. If Tenant holds over without Landlord's written consent, Tenant shall become a tenant at sufferance only, at a month-to-month rental rate equal to that specified in this Lease. Landlord shall have no duty to prorate Rent on a daily basis. Tenant's occupancy at sufferance shall otherwise be subject to all of the terms, covenants and conditions of this Lease. Acceptance by Landlord of Rent after such expiration or termination shall not constitute an authorized holdover hereunder or result in a renewal.

2.4. Delivery of Possession: Tenant hereby agrees that if it fails to surrender the Premises upon termination of this Lease for any reason Tenant will be liable to Landlord for any damages or costs that Landlord may suffer by reason of such failure to surrender. Tenant also agrees that it will indemnify Landlord against all claims and demands made by any succeeding tenants against Landlord founded upon delay by Landlord in delivering possession of the Premises or any portion thereof to such succeeding Tenant.

3. Use and Occupancy.

3.1. General: Tenant covenants that the Premises shall, during the term of this Lease or any holdover period, be used only for the Permitted Use, and for no other purpose without the prior written consent of Landlord. Tenant agrees not to use, suffer or permit any person to use the Premises in any manner which may injure the reputation of the Premises or impair the value of the Premises, nor for any purpose or use which may violate any federal, state, county or municipal law, ordinance or regulation.

3.2. Signage: Tenant may, at its own expense and upon Landlord's prior written consent, install an identification sign to the exterior of the Building. Tenant shall maintain such a sign in good order and condition. Upon the Termination Date, Tenant shall remove any sign located on the Building or Premises and shall be

responsible for restoring the Building and Premises to the condition that existed prior to the erection of any sign. Tenant shall be responsible for ensuring that any sign complies with all applicable codes, regulations, laws and ordinances.

4. Rent.

4.1. Definition: Rent means Base Rent as set forth in Section 1.7, the cost of the utilities consumed by Tenant during its occupancy of the Premises, Building and grounds as set forth in Section 12.1, Tenant's pro rata share of real property taxes as set forth in Section 5.1, Tenant's pro rata share of common area maintenance costs as set forth in Section 6.2 and any and all other sums payable by Tenant to Landlord under this Lease.

4.2. Payment: Tenant agrees to the Rent set forth in this Lease. Rental payments as outlined in paragraph 1.7 are due on or before the first day of each month beginning as of the Commencement Date. Rent for partial months shall be prorated.

4.3. Interest and Late Charge: Any Rent which is not paid when due shall bear interest at the maximum rate payable by Tenant under state law, or in the absence of a maximum rate, at the rate of eighteen percent (18%) per annum (the "Interest Rate") from the date the payment was due until the date the payment is made; however, no interest shall be charged if Rent is received by Landlord less than five (5) days after its due date. In the event any payment is made more than five (5) days after its due date, Landlord shall be entitled to collect a late payment fee of fifty dollars ($50.00) in addition to any interest charges.

5. Taxes.

5.1. Real Property Taxes. Tenant shall pay to Landlord its pro rata share of real property taxes assessed against the real property and improvements upon which the Premises are located. Tenant's pro rata share shall be Three Thousand Three Hundred Sixty Dollars ($3,360.00) per annum payable in monthly installments of Two Hundred Eighty Dollars ($280.00) to be paid as and when Base Rent is paid pursuant to this Lease. Tenant shall pay its pro rata share of such real property taxes within fifteen (15) days of Landlord's written notice thereof or monthly, with the rent, at Two Hundred Eighty Dollars ($280.00) per month.

5.2. Personal Property Taxes: Tenant shall be responsible for the payment of all personal property taxes assessed against personal property kept or maintained upon the Premises during the term of this Lease.

5.3. Other Taxes: It is expressly understood and agreed that Tenant shall not be obligated to pay any capital levy or corporate franchise tax levy imposed upon

Landlord, or any estate, inheritance, succession or transfer tax upon the passing of Landlord's interest in the Premises.

6. Repairs and Maintenance.

6.1. Landlord's Repairs and Maintenance: Landlord shall be responsible to see that the heating, air conditioning and ventilation systems ("HVAC") are in good operating condition as of the Commencement Date. Landlord, at its sole expense, shall maintain the roof, foundation, the structural soundness of the exterior walls of the Premises and the HVAC system in good repair and condition, ordinary wear and tear and damage by fire, casualty or Tenant negligence excepted. If necessary, Landlord shall also be responsible for the complete replacement, but not the routine repair and maintenance (including replacement of component parts), of (1) the sprinkler system and the electrical system of the Premises, and (2) the parking and other paved areas of the Premises.

6.2. Common Area Maintenance. Landlord shall provide maintenance and repair of all common areas serving the Building and grounds upon which the Premises are located and Tenant shall pay to Landlord Tenant's pro rata share of such costs. Tenant's pro rata share shall be Three Hundred Sixty Dollars ($360.00) per annum payable in monthly installments of Thirty Dollars ($30.00) to be paid as and when Base Rent is paid pursuant to this Lease. In addition, Tenant shall pay its prorata share of snow removal costs within fifteen (15) days of written notice thereof from Landlord.

6.3. Tenant's Repairs and Maintenance: Tenant, at is sole expense, shall maintain all aspects of the Premises not expressly enumerated in paragraph 6.1 clean, in good repair and condition and in compliance with all laws, including but not limited to all floors, floor coverings, windows, glass, plate glass, ceilings, interior and demising walls, doors, electrical and lighting equipment, plumbing and fixtures, sprinkler system, loading dock areas and doors, fences and signs.

6.4. Landlord's Rights: If Tenant fails to make such repairs or perform such maintenance as required under paragraph 6.3 or any other provision of this Lease, Landlord shall have the option to enter the Premises after ten (10) days prior written notice to Tenant, or in the case of an emergency immediately without prior notice, to make such repairs or perform such maintenance necessary to return the Premises to good order, condition and repair. The costs incurred by Landlord pursuant to this Section shall become due and payable to Landlord upon demand, plus a fee of 15% of the costs as an administration fee for Landlord's managing agent. Landlord and its agents shall have free access to the Premises during all reasonable and regular business hours for the purpose of examining the same and to ascertain that they are in good repair, and to make reasonable repairs which Landlord may desire to make hereunder.

6.5. Alterations: Tenant shall not make any alterations, improvements or additions to the Premises (collectively, "Alterations") without Landlord's prior written consent. All Alterations, except Tenant's signs, cases, counters and other removable trade fixtures, shall at once when made or installed be deemed to have become the property of Landlord unless otherwise agreed to in writing.

6.6. Conformity with Laws: Alternations and repairs made by Tenant shall be at its sole expense, unless otherwise agreed to in writing. Tenant agrees to conform and comply with all laws, ordinances, rules and regulations of federal, state, county and municipal authorities in making such Alterations and repairs.

6.7. Liens: Nothing in this Lease shall authorize Tenant to do any act that may in any way encumber the title of Landlord in and to the Premises, or shall the interest of Landlord in the Premises be subject to any lien arising from any act or omission of Tenant. If any mechanics lien or other lien is filed against the Premises for work done or materials supplied to Tenant, Tenant shall have forty-five (45) days after receipt of actual notice of the lien to cause the lien to be discharged by payment of the underlying claim or by filing the necessary bond pursuant to statute. Should Tenant fail to pay any lien or post bond therefor, Landlord shall have the option at its sole discretion to discharge such mechanics lien by payment thereof, and the amount paid by Landlord together with Landlord's costs and expenses shall be due and payable from Tenant forthwith on demand, plus interest at the rate of eighteen percent (18%) per annum.

7. Insurance and Indemnity.

7.1. Landlord's Insurance: Landlord shall obtain, through individual or blanket policies, insurance as follows: (a) "All Risk" insurance insuring the Premises; (b) comprehensive or commercial general liability insurance insuring Landlord; and (c) insurance against damage by such other perils and in such amounts as Landlord or any mortgagees or lessors of Landlord reasonably determine.

7.2. Tenant's Insurance: Tenant shall, through individual or blanket policies, keep and maintain in full force during the Term, insurance as follows: (a) comprehensive or commercial general liability insurance, written by an insurance company reasonably approved by Landlord, insuring Tenant with respect to the Premises against bodily injury or death of any person or damage to property, occurring in, on or about the Premises carried on an occurrence basis, with limits of not less than $2,000,000.00 per occurrence, such coverage to include personal injury, bodily injury, broad form property damage, fire legal liability, premises/operations, owner's protective coverage, blanket contractual liability, products liability and completed operations liability; (b) "Business Interruption" insurance; and (c) worker's compensation and employer's liability insurance covering all Tenant's employees working in the Premises.

7.3. Tenant's Insurance Certificates: Tenant shall furnish certificates evidencing such insurance coverage to Landlord within thirty (30) days from the execution of this Lease and thereafter within thirty (30) days prior to the expiration of each such certificate. Said certificates shall expressly provide that such policies shall not be cancelable or subject to reduction of coverage except after thirty (30) days' prior written notice by registered mail to the parties named as additional insureds in this paragraph 7.3. Landlord and its agents, and any mortgagees and ground lessors of Landlord, shall be named as additional insureds under Tenant's insurance, except for worker's compensation insurance. All insurance maintained by Tenant pursuant to this Lease shall be primary with respect to any claims, losses or liabilities arising out of the use of the Premises by Tenant, and any insurance carried by Landlord shall be excess and non-contributing. If (a) Tenant fails to deliver the insurance certificates as and when required hereunder or (b) Tenant does not deliver to Landlord certificates for substitute insurance coverage within five (5) days after Landlord notifies Tenant of its receipt of notice from any insurer of Tenant of the cancellation of any insurance coverage required hereunder or reduction of insurance coverage below the limits required hereunder, Landlord may, at its option, purchase any required but uncarried insurance on behalf of Tenant. Any costs incurred therefor by Landlord, together with interest thereon at the Interest Rate, shall be payable to Landlord on demand.

7.4. Indemnification of Landlord: Tenant shall indemnify and hold Landlord and its managing agent, and their respective agents, partners, officers, directors and employees, harmless from and against any and all liabilities, damages, costs, expenses, causes of action, claims or judgments, including reasonable attorneys' fees and courts costs, arising from or growing out of any bodily injury or death to any person or any damage to property as a result of any accident or other occurrence during the Term arising from (a) any act or omission of Tenant, its employees, agents, representatives, licensees, contractors, invitees or permittees, or (b) the use, maintenance, occupation or operation of the Premises during the Term. Notwithstanding the foregoing, Tenant shall not be required to indemnify Landlord for any bodily injury or death to any persons or any property damage arising solely as the result of the negligence or willful misconduct of Landlord or its agents or employees.

7.5. Tenant's Risk: Tenant agrees that all leasehold improvements and personal property of any kind owned by it, in, on or about the Premises shall be at the sole risk and hazard of Tenant. Without limiting the generality of the foregoing, Tenant agrees that Landlord shall not be responsible or liable for any loss or damage to Tenant, or any one claiming under or through Tenant, whether caused by or resulting from any peril required to be insured by Tenant hereunder, provided such loss or damage is not the result of any intentional or willful wrongful act of Landlord.

7.6. Mutual Release and Waiver of Subrogation Rights: Whenever (1) any loss, cost, damage or expense in connection with the Premises resulting from any casualty or occurrence is incurred by either party to this Lease or anyone claiming by, through or under either party, and (2) such party is either covered in whole or in part by insurance with respect to such loss, cost, damage or expense (or is required under this Lease to be so insured), then the party suffering the loss, cost, damage or expense hereby releases the other party from any liability the other party may have on account of such loss, cost, damage or expense to the extent of any amount recovered by reason of such insurance (or which could have been recovered had insurance been carried as required under this Lease), and waives any right of subrogation which might otherwise exist in or accrue to any person on account thereof.

8. Destruction of Premises.

8.1. Repair and Restoration: Except as otherwise expressly provided in this Section 8, if the Premises or any portion thereof is damaged or destroyed during the Term, Landlord shall diligently repair or restore the Premises as soon as reasonably possible to substantially the condition in which the Premises existed immediately prior to such damage or destruction. Landlord shall not be required to repair or restore any of Tenant's improvements or Tenant's property, which are damaged or destroyed by such casualty.

8.2. Abatement of Base Rent: If the continuation of Tenant's business is not reasonably practical pending reconstruction of the Premises or portion thereof, the Base Rent payable by Tenant shall abate in proportion to the amount of the Premises rendered unusable by Tenant as a result of such casualty.

8.3. Excessive Damage or Destruction: If there is damage or destruction to the Premises, to the extent that Landlord reasonably determines that the Premises, as the case may be, cannot be fully repaired or restored by Landlord within one-hundred eighty (120) days from the date of the casualty, said determination to be delivered to Tenant in writing within thirty (30) days of such casualty, both Landlord and Tenant shall have the option, upon written notice delivered to the other party within fifteen (15) days of Landlord's written notice, to terminate this Lease. If (1) Landlord determines that the Premises can be fully repaired or restored within such one-hundred eighty (120) day period, or (2) it is determined that such repair or restoration cannot be made within such period but neither party exercises its option to terminate, this Lease shall remain in full force and effect and Landlord shall diligently repair and restore the damage or destruction as soon as reasonably possible.

8.4. Uninsured Casualty: Notwithstanding anything contained herein to the contrary, in the event the damage or destruction of a material portion of the Premises is not

fully covered by the insurance proceeds received by Landlord, or if there are insufficient proceeds after any required payments to mortgagees or lessors, Landlord may, within thirty (30) days of such casualty, terminate this Lease by written notice to Tenant, effective as of the date of such casualty. If Landlord does not elect to terminate, this Lease shall remain in full force and effect and the Premises shall be diligently repaired and restored in accordance with paragraph 8.3.

9. Eminent Domain.

9.1. Abatement of Rent Upon Partial Condemnation: If not more than fifteen percent (15%) of the Building or not more than twenty-five percent (25%) of the paved areas of the Premises are taken under the power of eminent domain, then the Term of this Lease shall cease only on the part so taken from the date of the taking. The Base Rent due shall be paid up to such date. If in such event any part of the Premises is taken, Tenant shall rebuild and restore the Premises at its expense and as rapidly as possible. Tenant shall be entitled to an equitable abatement of the Base Rent until the Premises are restored, and thereafter the Base Rent shall be equitably reduced on account of any floor space taken by such eminent domain proceedings. For the purpose of this Section 9, acquisition of all or part of the Premises by governmental or quasi-governmental authority by means of voluntary negotiations and contracts in lieu of condemnation shall be deemed to be acquisition by the exercise by the power of eminent domain.

9.2. Right to Terminate Upon Condemnation: If more than fifteen percent (15%) of the Building within which the Premises are located or more than twenty-five percent (25%) of the parking area shall be taken under the power of eminent domain, then from that date Tenant shall have either the right to terminate this Lease as of the date of the taking, by written notice to Landlord within thirty (30) days of such date, or to continue in possession of the Premises under all of the terms, covenants and conditions of this Lease, except that the Base Rent shall be proportionately and equitably reduced.

9.3. Prosecution of Claims: Each party may, as permissible by applicable law, prosecute at their option their respective claims, against the public or private bodies designated as the taking authority on account of any taking or appropriation of the Premises. If all or any portion of the Premises is condemned, then Landlord shall be entitled to the entire award paid for such condemnation. Tenant waives any right or claim in any part thereof from Landlord or the condemning authority. Tenant shall have the right to claim and recover from the condemning authority, but not from Landlord, such compensation as may be separately awarded or recoverable by Tenant in its own right, without diminution of Landlord's award.

10. Quiet Enjoyment.

10.1. Landlord covenants and agrees that if the Tenant shall pay and otherwise perform and do all of the things and matters herein provided to be done by Tenant, Tenant shall peaceably and quietly have, hold, possess, occupy and enjoy the Premises during the Term.

11. Assignment and Subletting.

11.1. Tenant's Assignment and Subletting: Tenant shall not assign, mortgage, pledge or otherwise transfer this Lease, in whole or in part, nor sublet or permit occupancy by any party other than Tenant of all or any part of the Premises, without obtaining in each instance the prior written consent of Landlord. Any purported assignment or subletting contrary to the provisions hereof without Landlord's written consent shall be void. The written consent by Landlord to any assignment or subletting shall not constitute a waiver of such consent to any subsequent assignment or subletting. No assignment shall affect the continuing primary liability of Tenant under all of the terms, conditions and covenants of this Lease, which, following assignment, shall be joint and several with the assignee or sublessee. Collection by Landlord of Rent or any other charges provided herein shall not be deemed a release of Tenant from the Tenant's obligations under this lease. Tenant hereby waives notice of any default by any assignee or sublessee and agrees that Landlord may proceed directly against Tenant without proceeding against or joining such assignee or sublessee.

11.2. Excess Consideration: If (a) Tenant receives any consideration for an assignment of this Lease, or (b) Tenant receives rent or other consideration in excess of the Rent called for hereunder in connection with any sublease in which Tenant relinquishes control over all or any part of the Premises to the sublessee, Tenant shall pay to Landlord 50% of the excess rent or other consideration received by Tenant (after deducting from such excess rent or other consideration reasonable costs incurred by Tenant, including brokerage commissions, in connection with such assignment or subletting) promptly after Tenant's receipt of such excess rent or other consideration.

11.3. Landlord's Assignment: If Landlord conveys its interest in the Premises, Landlord shall be automatically relieved from all liability as respects the further performance of its covenants or obligations hereunder and from any and all further obligations, liabilities, and claims arising from or connected with this Lease. Without further agreement, the transferee of such title or interest shall be deemed to have assumed all of Landlord's obligations, liabilities and claims with respect to this Lease.

12. Utilities.

12.1. Tenant shall be solely responsible for and shall promptly pay all charges for electricity, gas, water/sewer and any other utility or service use or furnished to the Premises.

13. Subordination, Attornment and Estoppel Certificates.

13.1. Subordination: Upon written request or notice by Landlord, Tenant agrees to subordinate its rights under this Lease to the liens of any mortgage or deed of trust that may now or hereafter be placed upon the Premises or any part thereof, and to any and all advances to be made thereunder, and all renewals, replacements and extensions thereof. Tenant hereby irrevocably appoints Landlord, or any officer or agent thereof, as Tenant's attorney-in-fact to execute any subordination agreements or documents required in furtherance thereof. This power of attorney is a power coupled with an interest and is irrevocable during the Term.

13.2. Attornment: Tenant shall, upon request, attorn to any mortgagee, purchaser upon foreclosure sale or grant of a deed in lieu of foreclosure, or lessor of Landlord, as the case may be, and shall recognize such mortgagee, purchaser or lessor as the Landlord under the Lease.

13.3. Estoppel Certificate: Within ten (10) days after request therefor by Landlord, or any mortgagee, purchaser, or lessor of Landlord, Tenant shall deliver an estoppel certificate in a form reasonably satisfactory to Landlord or any mortgagee, purchaser or lessor of Landlord.

14. Default.

14.1. Events of Default: The occurrence of any of the following events shall constitute an "Event of Default" on the part of the Tenant: (1) Tenant's failure to pay Rent or any other charges provided for herein and such failure continues for five (5) days after written notice from Landlord to Tenant; (2) Tenant's failure to perform any other covenant, agreement or promise of the Tenant contained in this Lease and such failure continues for thirty (30) days after written notice from Landlord to Tenant; (3) Tenant is adjudicated a bankrupt; (4) a permanent receiver is appointed for Tenant's property, including Tenant's interest in the Premises, and such receiver is not removed within thirty (30) days after appointment; (5) whether voluntarily or involuntarily, Tenant takes advantage of any debtor relief proceeding under present or future law whereby the Rent, or any part thereof, is or is proposed to be reduced or payment thereof deferred; (6) Tenant makes an assignment for the benefit of creditors; (7) the Premises or Tenant's effects or interest therein is levied upon or attached under process against Tenant, not

satisfied or dissolved within thirty (30) days from such levy or attachment; or (8) Tenant abandons the Premises.

14.2. Landlord's Remedies: If an Event of Default occurs, Landlord shall have the right to pursue the following rights and remedies, without any further notice or demand upon Tenant, and in addition to any other right or remedy of Landlord, at law, in equity or elsewhere in this Lease:

(a) Landlord may enter upon and take possession of the Premises as Tenant's agent without terminating this Lease, and re-let the Premises at the best price obtainable by reasonable effort and for such term as Landlord deems proper. Tenant shall thereupon become immediately liable and indebted to Landlord and shall then upon demand promptly pay to Landlord the costs and expenses of such re-letting, including any alteration or decoration required in connection therewith, plus the difference between the amount of rent to be collected and received from the Premises and the Rent under this Lease for the residue of the Term remaining after the taking of possession by Landlord; or

(b) Landlord may forthwith cancel and terminate this lease by written notice to Tenant. If such notice is given, all right of Tenant to the use and occupancy of the Premises shall terminate as of the date set forth in such notice, and Tenant shall at once surrender possession of the Premises to Landlord and remove Tenant's property therefrom. In the event that Landlord terminates this Lease or Tenant's right of possession, such termination shall not release Tenant from Tenant's obligation to pay Rent hereunder for the Term. Landlord shall have the right to recover from Tenant, and Tenant shall remain liable for, all Rent that has accrued and remains unpaid and all Rent thereafter accruing as it becomes due under this Lease to the end of the Term.

14.3. Tenant's Property: All Tenant's property removed from the Premises by Landlord pursuant to any provisions of this Lease or by law may be handled, removed or stored by Landlord, at Tenant's sole cost and expense, and Landlord shall in no event be responsible for the value, preservation or safekeeping thereof. Tenant shall pay Landlord for all reasonable expenses incurred by Landlord in such removal and for reasonable storage charges for such Tenant's property. All such Tenant's property not removed from the Premises, or retaken from storage by Tenant, within thirty (30) days after the expiration or earlier termination of the Term, or of Tenant's right to possess the Premises, shall be conclusively deemed to have been conveyed by Tenant to Landlord as by bill of sale, without further payment or credit by Landlord to Tenant.

15. Notices.

15.1. All notices, demands and requests hereunder shall be in writing, properly addressed and sent via United States registered or certified mail, or by a nationally recognized air courier, postage pre-paid, to Tenant's Address for Notice and to Landlord's Address for Payment and Notice. Each party from time to time may change its address for the purpose of notice under this Section by giving the other party notice of such change of address. Any notice, demand or request sent in the manner specified herein shall be deemed to be served on the date it is deposited in the United States mail or with a nationally recognized air courier.

16. Environmental Representations, Warranties and Indemnification.

16.1. Definition: For purposes of this Section 16, Hazardous Material shall mean any material or substance:

(a) defined as a "Hazardous Substance" under the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et seq.), and amendments thereto and regulations promulgated thereunder;

(b) containing gasoline, oil, diesel fuel or other petroleum products;

(c) defined as a "Hazardous Waste" pursuant to the Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984, and other amendments thereto and regulations promulgated thereunder;

(d) containing Polychlorinated Biphenyl's (PCB);

(e) containing asbestos;

(f) which is radioactive;

(g) the presence of which requires investigation or remediation under any federal, state or local statute, regulation, ordinance or policy;

(h) which is or becomes defined as hazardous waste or a hazardous substance under any federal, state or local statute, regulation, ordinance or policy;

(i) any toxic, explosive, corrosive or other hazardous substance, material or waste that is or becomes regulated by any federal, state or local governmental authority; or

(j) which causes a nuisance on the Premises or any portion thereof.

16.2. Prohibition: Tenant shall not conduct or authorize the generation, transportation, storage, treatment, use or disposal at the Premises of any Hazardous Material without prior written authorization by Landlord, and any such action by Tenant without such authorization by Landlord shall constitute a default under this Lease.

16.3. Rules and Regulations: If Tenant does generate, transport, store, treat, use or dispose at the Premises any Hazardous Material: (a) Tenant shall, at its own cost, comply with all environmental laws, rules or regulations promulgated or enforced by any governmental, quasi-governmental or regulatory authority; (b) Tenant shall promptly provide Landlord with copies of all communications, permits or agreements with any governmental authority or agency (federal, state or local) or any private entity relating in any way to the presence, release, threat of release, placement on or in the Premises, or the generation, transportation, storage, treatment, or disposal at the Premises, of any Hazardous Material; (c) Landlord and Landlord's agents and employees shall have the right to enter the Premises and/or conduct appropriate tests for the purpose of ascertaining that Tenant complies with all applicable laws, rules or permits relating in any way to the presence of Hazardous Materials on the Premises; and (d) upon written request by Landlord, Tenant shall provide Landlord the results of appropriate tests to demonstrate that Tenant complies with all environmental laws, rules or permits relating in any way to the presence of Hazardous Materials on the Premises.

16.4. Clean-Up: If the presence, release, threat of release, placement on or in the Premises, or the generation, transportation, storage, treatment, use or disposal at the Premises of any Hazardous Material: (i) gives rise to liability (including, but not limited to, a response action, remedial action, or removal action) under any environmental laws, rules or regulations promulgated or enforced by any governmental, quasi-governmental or regulatory authority, (ii) causes a significant public health effect, or (iii) pollutes or threatens to pollute the environment, Tenant shall promptly take any and all remedial and removal action necessary to clean up the Premises and mitigate exposure to liability arising from the Hazardous Material, whether or not required by law.

16.5. Indemnification: Tenant agrees to protect, defend, indemnify and save harmless Landlord from and against all liabilities, obligations, claims, damages, penalties, causes of action, response and clean up costs, and other costs and expenses (including, without limitation, reasonable attorneys' fees, paralegal fees, the cost of any remedial action, consultant fees, investigation and laboratory fees, court costs and litigation expenses) imposed upon or incurred by or asserted against Landlord by reason of Tenant's occupation of the Premises pursuant to this Lease in violation of Tenant's representations and warranties in this Section 16.

16.6. Survival: The representations, warranties and indemnification of Tenant pursuant to this Section 16 shall survive the termination of this Lease.

17. Miscellaneous.

17.1. Waiver: No reference to any specific right or remedy shall preclude Landlord or Tenant from exercising any other right or from having any other remedy or from maintaining any action to which it may otherwise be entitled at law or in equity. No failure by Landlord or Tenant to insist upon the strict performance of any agreement, term, covenant or condition hereof, or to exercise any right or remedy consequent upon a breach thereof, and no acceptance of full or partial Rent by Landlord during the continuance of any such breach, shall constitute a waiver of any such breach, agreement, term, covenant or condition. No waiver by Landlord or Tenant of any breach under this Lease shall affect or alter this Lease in any way whatsoever.

17.2. Accord and Satisfaction: Any payment by Tenant, or receipt by Landlord, of a lesser amount than the Rent stipulated herein shall be deemed to be a partial payment of the Rent. Any endorsement or statement on any check, or any letter accompanying any check or payment, purporting to be an accord and satisfaction shall be deemed a partial payment, and Landlord may accept such check or payment without prejudice to Landlord's right to recover the balance of such Rent or pursue any other remedy provided in this Lease.

17.3. Landlord's Liability: The obligations of Landlord under this Lease do not constitute personal obligations of Landlord or Landlord's individual partners and joint venturers, or of the respective directors, officers or shareholders of Landlord or such partners or venturers. Tenant shall look solely to Landlord's interest in the Premises and to no other assets of the Landlord for satisfaction of any liability in respect of this Lease.

17.4. Entire Agreement: This Lease sets forth all the covenants, promises, agreements, conditions and understandings between Landlord and Tenant concerning the Premises. No course of prior dealings between the parties or their officers, employees, agents or affiliates shall be relevant or admissible to supplement, explain or vary any of the terms of this Lease. Acceptance of, or acquiescence in, a course of performance rendered under this or any prior agreement between the parties or their affiliates shall not be relevant or admissible to determine the meaning of any of the terms of this Lease. No representations, understandings or agreements have been made or relied upon in the making of this Lease other than those specifically set forth herein. Except as otherwise provided herein, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon Landlord or Tenant unless expressed in writing and executed by both parties hereto.

17.5. Time: TIME IS OF THE ESSENCE FOR EACH AND EVERY PROVISION HEREOF.

17.6. Professional Fees: The prevailing party in any action or proceeding brought under or pursuant to this Lease shall be entitled to recover from the losing party any costs or expenses incurred by the prevailing party in connection with such action or proceeding, including without limitation, reasonable professional fees such as accountants' fees, appraisers' fees and attorneys' fees.

17.7. Captions and Section Numbers: The captions, section numbers and paragraph numbers appearing in this Lease are inserted only as a matter of convenience and in no way enlarge or limit the scope or intent of such sections or articles of this Lease nor in any way affect this Lease.

17.8. Severability: If any term, covenant, condition or provision of this Lease shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants, conditions or provisions of this Lease shall remain in full force and effect.

17.9. Applicable Law: This Lease, and the rights and obligations of the parties hereto, shall be construed and enforced in accordance with the laws of the State of Indiana.

17.10. Examination of Lease: Submission of this instrument for examination or signature by Tenant does not constitute a reservation of, or option to lease, and it is not effective as a Lease or otherwise until Landlord executes and delivers the Lease, executed by both Landlord and Tenant, to Tenant.

17.11. Lender's Requirements: Tenant hereby agrees to make any reasonable revisions to this Lease which may be reasonably required by any mortgagee in connection with the financing of all or any portion of the Building or the Premises, provided that no such revision shall increase the Rent due and payable by Tenant under this Lease or materially increase the obligations to be performed by Tenant under this Lease.

17.12. Authority: If Tenant is a corporation, trust, or general or limited partnership, the individual executing this Lease on behalf of Tenant represents that he or she has full authority to execute the Lease on behalf of such entity and to bind Tenant hereto.

17.13. Landlord's Access: Landlord and Landlord's agents and employees shall have the right to enter the Premises at reasonable times for the purpose of inspecting same; showing same to prospective tenants, purchasers or mortgagees; and making such alterations, repairs, improvements or additions to the Premises in accordance with

the terms of this Lease. Landlord may (1) at any time during the Term place on or about the Premises "For Sale" signs and (2) at any time during the last year of the Term, place on or about the Premises "For Lease" signs.

17.14. Successors: This Lease and each of its terms, covenants and conditions shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors, assigns and legal representatives, subject to the provisions hereof.

17.15. Security Measures: Tenant acknowledges that Rent payable to Landlord does not include the cost of guard service or other security measures, and that Landlord has no obligation to provide such services or measures. Tenant assumes all responsibility, including costs, for the security of the Premises and of Tenant, its agents, employees, invitees and permittees.

17.16. Retroactivity: Tenant and Landlord agree that all terms, covenants, conditions or other provisions of this Lease shall be effective and binding as of the date upon which Tenant took possession of the Premises, and not as of the date Tenant and Landlord execute this Lease.

17.17. Recording: This Lease shall not be recorded.

IN WITNESS WHEREOF, Landlord and Tenant execute this Lease the day and year first written above.

K&H REALTY CORPORATION,
an Indiana corporation

By: _____
Philip J. Knapke, its Secretary

"Landlord"

CITY OF FORT WAYNE, INDIANA

By: _____
Printed: _____
Its: _____

"Tenant"

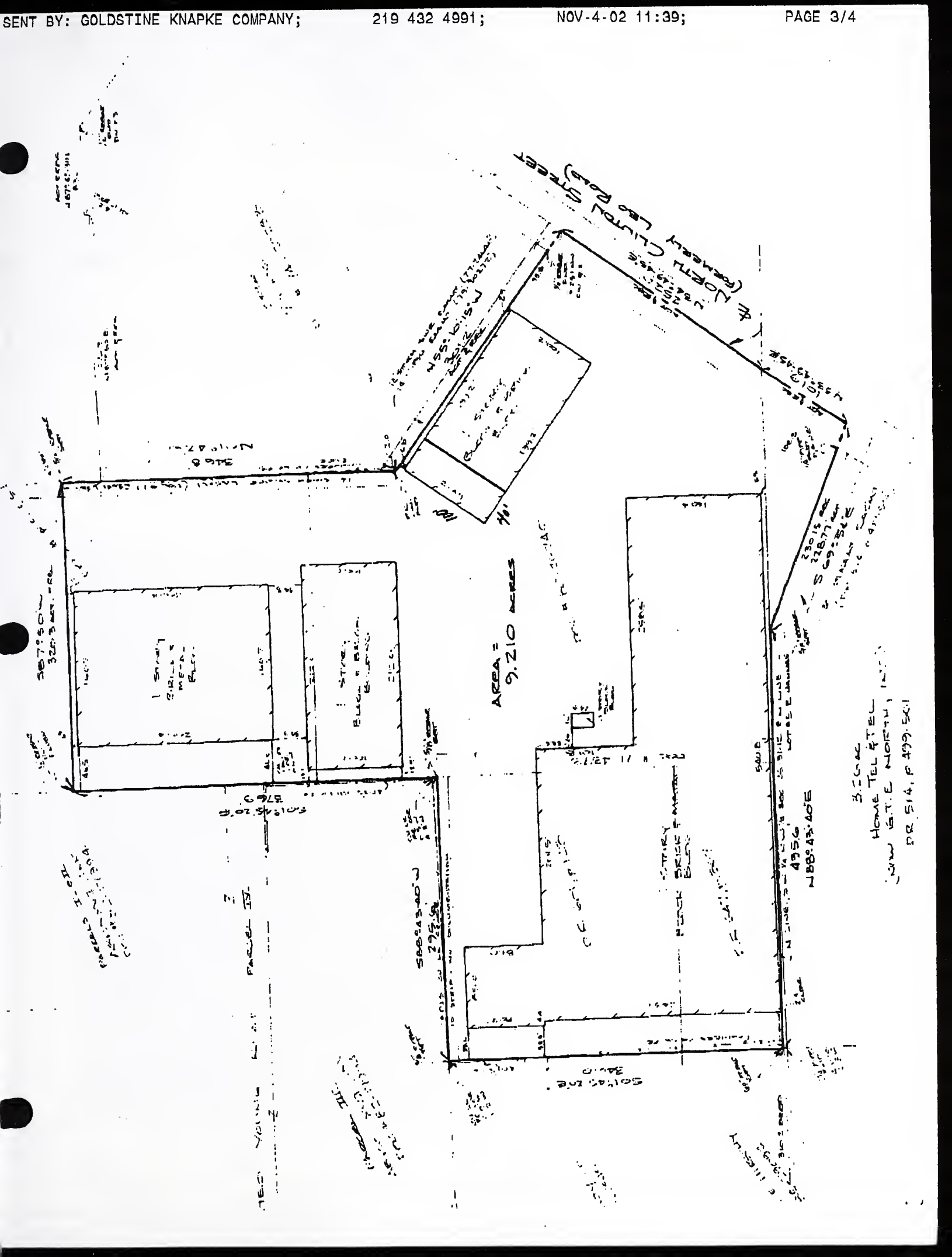
Exhibit A

DESCRIPTION

Parts of the West Half of the Northwest Quarter of Section 25, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Commencing at the Northwest corner of Brudi's Second Addition, the plat of which is recorded in Plat Book 13, page 138 in the Office of the Recorder of Allen County, Indiana, said Northwest corner being situated, by deed, 605.8 feet Easterly of the Northwest corner of said Northwest Quarter; thence South 01 degrees 45 minutes 20 seconds East (bearings in this description are based on the Indiana Department of Transportation bearing for Coliseum Boulevard), on and along the West line of said Brudi's Second Addition and the Southerly projection thereof, being established by survey monuments found and, by deed, parallel to the West line of said Northwest Quarter, a distance of 607.2 feet to the Southwest corner of an 8.047 acre tract of land, this being the true point of beginning; thence continuing South 01 degrees 45 minutes 20 seconds East, a distance of 376.9 feet to a Southeast corner of that certain tract of land designated Parcel III and conveyed to ABKO XVI, Inc. by deed dated October 8, 1982 and recorded in Document #82-17994 in the Office of said Recorder; thence South 88 degrees 43 minutes 40 seconds West, on and along a South line of said ABKO XVI, Inc. tract, a distance of 295.6 feet to a Southeast corner of said ABKO XVI, Inc. tract being a point situated, by deed, 310.2 feet Easterly of the West line of said Northwest Quarter; thence South 01 degrees 45 minutes 20 seconds East, on and along an East line of said ABKO XVI, Inc. tract, and on and along the East line of a tract of land conveyed to A&R Realty Co. by deed dated April 30, 1972 in Document #72-22545, and on and along the East line of a tract of land conveyed to Carol Joyce Hirschy, trustee, by deed dated August 14, 1985 and recorded in Document #85-29092, both in the Office of said Recorder, a distance of 346.0 feet to a point on the North line of the Southwest Quarter of said Northwest Quarter; thence North 88 degrees 43 minutes 40 seconds East, on and along said North line, being also the North line of Lot number 5 in Elizabeth Hanna's Subdivision as recorded in Deed Record 60, page 258 in the Office of said Recorder, a distance of 435.6 feet to a North corner of a 1.26 acre tract of land conveyed to The Home Telephone and Telegraph Company by deed dated July 25, 1956 and recorded in Deed Record 514, pages 499-501 in the Office of said Recorder; thence South 69 degrees 54 minutes East, on and along the Northeasterly line of said 3.26 acre tract, a distance 228.77 feet (recorded 230.15 feet) to the most Easterly corner of said 3.26 acre tract, being a point on the centerline of North Clinton Street (formerly Leo Road); thence North 33 degrees 49 minutes 45 seconds East, on and along said centerline, a distance of 101.9 feet to the point of intersection of said centerline with the North line of said Lot #5 in Elizabeth Hanna's Subdivision; thence North 34 degrees 49 minutes 45 seconds East, continuing along said centerline, a distance of 252.0 feet to the most Southerly corner of a 2.89 acre tract of land conveyed to Kenneth B. Young by deed dated August 8, 1974 and recorded in Document #74-20293 in the Office of said Recorder; thence North 55 degrees 10 minutes 15 seconds West, on and along the Southwest line of said 2.89 acre tract, a distance of 301.2 feet to a survey nail found; thence North 01 degrees 42 minutes West, on and along the West line of said 2.89 acre tract and the Northerly projection thereof, a distance of 346.8 feet to a South corner of the aforesaid 8.047 acre tract; thence South 87 degrees 50 minutes West, on and along a South line of said 8.047 acre tract, a distance of 320.3 feet to the true point of beginning, containing 9.210 acres of land, subject to legal right-of-way for North Clinton Street and subject to all easements of record.

This property is in Zone X, as the description plots by scale on Flood Insurance Rate Map No. 18003C 0260 D, effective September 28, 1990.


AREA = 9.210 ACRES
N88°43'40"E
495.0
S88°43'40"W
295.00
S87°50'W
322.3
N55°10'15"W
S 69°54'E
230.15
228.77
N 27°10'47" W
90.0'
1 STORY BRICK & BLOCK BUILDING
1 STORY METAL BLDG.
1 STORY BRICK & BLOCK BUILDING
PARCEL II
PARCEL III
HOME TEL #TEL
NW I&T.E NORTH I
DR 514, P 499 EXT

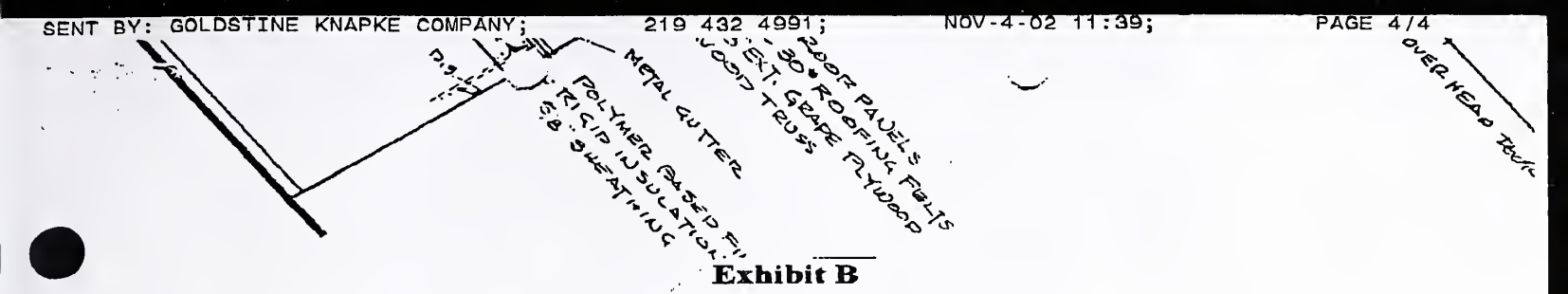
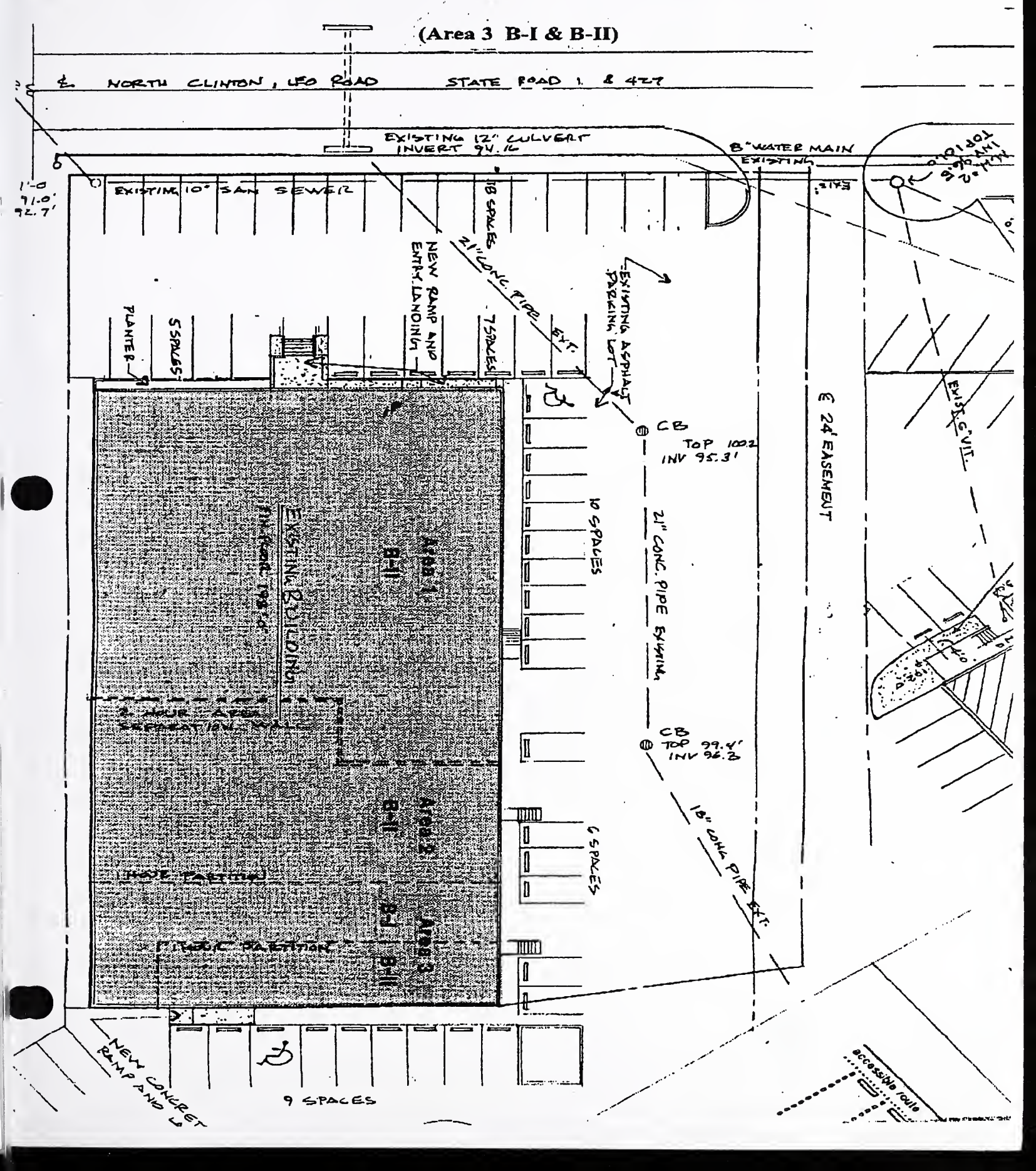


Exhibit B

(Area 3 B-I & B-II)



AMENDMENT TO THE RESOLUTION OF THE BOARD OF PUBLIC WORKS TO ESTABLISH AREA CONNECTION FEES FOR ST. JOE REGIONAL SERVICE SEWER PLAN SHED 2C South and East

Reference: Allen County Document 201094972

WHEREAS on the 5th day of September, 2001, the Board of Public Works established specific Equivalent Residential Unit (ERU) area connection fees for real estate connecting to the City of Fort Wayne Waste Water Disposal system lying within the area encompassing the St. Joe Interceptor Regional Sewer Service Plan No.1 and served by the aforementioned sewer facilities, and those fees have from time to time been subsequently amended by Board action.,

WHEREAS, subsequent to the adoption and subsequent amendment of the aforementioned area connection fees, it has been determined that an additional shed area may be served by the St. Joe Interceptor Regional Service Plan and area connection fees should be modified to include said additional area,

NOW THEREFORE BE IT RESOLVED that the Board of Public Works amends previously adopted Equivalent Residential Unit area connection fees for the St. Joe Interceptor Regional Sewer Service Plan No. 1 Area by adding fees for a new shed area as set forth below:

EQUIVALENT RESIDENTIAL UNITS ASSESSMENTS
ST. JOSEPH INTERCEPTOR REGIONAL SEWER SERVICE PLAN NO. 1

Equivalent Residential Unit (ERU) connection fees within the area defined as the St. Joseph Interceptor Regional Sewer Service Plan No. 1, as originally adopted by the Board of Public Works on October 25, 2000,and subsequently amended from time to time shall be further amended by adding a new Shed Area 2C South and 2C East as illustrated on the map attached hereto and identified as Exhibit A. Said fees shall be collected prior to connection to the St. Joe Regional Sewer Service Area.

The ERU assessments for the **Shed Area 2 C South** are set forth below:

Shed Area	2C South	$1197.56

The ERU assessments for the **Shed Area 2 C East** are set forth below:

Shed Area	2C East	$1127.96

In the event a parcel of real estate is near or crosses the Shed Area boundary as identified in Exhibit A, the routing of the local and receiving interceptor sewer shall determine the Shed Area for purposes of determining the applicable ERU assessment.

BE IT FURTHER RESOLVED that as additional infrastructure is added to the sewer facilities to serve real estate included in the St. Joseph Interceptor Regional Sewer Service Plan No. 1, or modifications are made to said facilities necessitating an adjustment to the connection fees, amended or additional ERU's will be established for the specific areas served by the sewer facilities.

BE IT FURTHER RESOLVED that the Equivalent Residential Unit Assessment may be adjusted for inflation on or before February of each year based on the increase of the December to December value of the All Urban Consumer Price Index.

PASSED THIS 6th **day of** November, **2002.**

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Denise Porter-Ross

Attest: Carolyn S. Newport
Carolyn S. Newport, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) **SS**
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez, and Denise Porter-Ross,** as Members of the Board of Public Works of the City of Fort Wayne, and **Carolyn S. Newport,** Clerk of the Board of Works and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

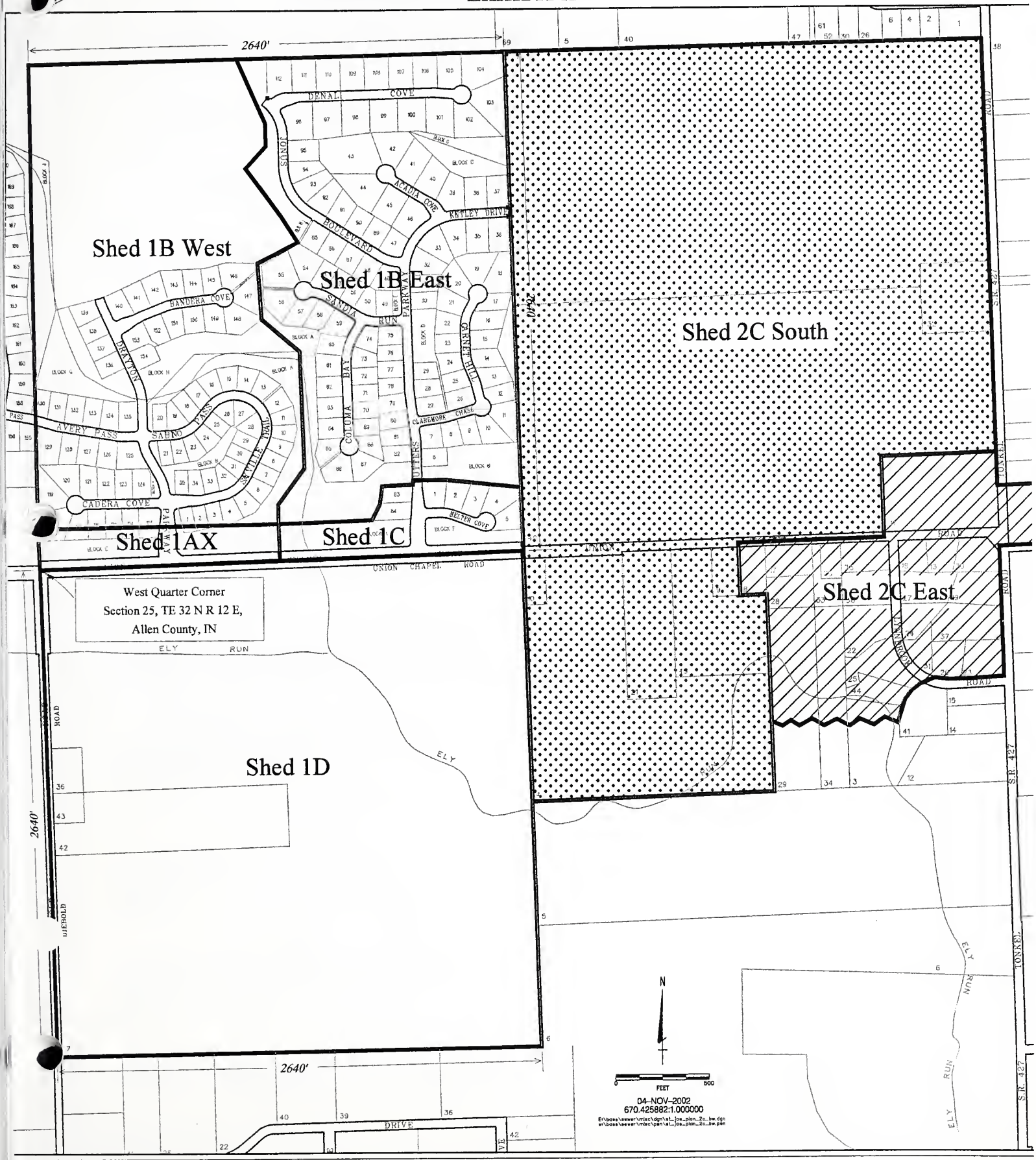
WITNESS my hand and notarial seal this 6 day of November 2002.

My Commission Expires:

MARION L. ROBINSON
Notary Public, State of Indiana
County of Allen
My Commission Expires Feb 12, 2009

Notary Public
Resident of Allen County

ST JOE REGIONAL SEWER SERVICE PLAN ERU FEES
SHEDS 2C SOUTH & 2C EAST
EXHIBIT A



CHIVINGTON DRIVE DRAINAGE PROJECT
IMPROVEMENT RESOLUTION NO. 1560-2002

WHEREAS, a chronic stormwater drainage problem exists in the 7100 – 7200 blocks of Chivington Drive; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, improvement involves the installation of 800 LF of 6-inch and 8-inch HDPE pipe and thirteen (13) modified inlet structures; and

WHEREAS, Water Resources has received invitational bids for said improvement from the following contractors:

KDP, Inc.	**$15,434**
Harlow Enterprises, Inc.	**$15,960**
Preferred Irrigation	**did not submit bid**
Rickert's Landscaping & Maintenance	**did not submit bid**

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to KDP, INC. in the amount of $15,434.

Adopted, this 13th day of May, 2002.

BOARD OF STORMWATER MANAGEMENT

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

EMERGENCY RESOLUTION NUMBER 89-357-17
PORTAGE AND FREEMAN

WHEREAS, an existing 12" VCP combination line has collapsed along Freeman, and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 12" VCP combination line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Geiger Developing, Robinson, T-C Exc., Dafforn Exc., and Miller Brothers, were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 13th day of May, 2002.

BOARD OF PUBLIC WORKS

By _____
Ted Rhinehart, Chairman

By Denise Porter Ross
Denise Porter Ross, Member

By _____
John Suarez, Member

ATTEST: Carolyn Newport
Carolyn Newport, Clerk

LAKE AVENUE / MAPLECREST ROAD DRAINAGE PROJECT
IMPROVEMENT RESOLUTION NO. 1559-2002

WHEREAS, a chronic stormwater drainage problem exists in the 6300 block of Lake Avenue; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, improvement involves the installation of 680 LF of 18-inch HDPE, one (1) 48-inch manhole and three (3) pipe connections; and

WHEREAS, Water Resources has received invitational bids for said improvement from the following contractors:

Geiger Developing, Inc.	**$ 49,715**
All Star Construction and Excavating	**$117,800**
Earth Construction	**did not submit bid**

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to GEIGER DEVELOPING, INC. in the amount of $49,715.

Adopted, this 13th day of May, 2002.

BOARD OF STORMWATER MANAGEMENT

Ted Rhinehart
Chairman

John Suarez
Member

Denise Porter-Ross
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

GLENHURST, MERIVALE, ROLSTON & SPRINGFIELD – WATER MAIN REPLACEMENT RESOLUTION NO. 1113-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,880 LF of 6" water main, five (5) fire hydrants, 55 services and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "GLENHURST, MERIVALE, ROLSTON & SPRINGFIELD – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $200,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 20th DAY OF March, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

CAMP SCOTT WETLANDS PHASE III –A, B, & C
RESOLUTION NO. 1514-2003

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of native wetlands for the purpose of storing and treating stormwater collected from the neighborhoods west of McMillen Park. The construction site is on the property east of Wayne Trace, north of Moeller Rd. (Oxford St.), south of the former Conrail/Pennsylvania Railroad yard, and west of Bueter Rd. in southeast Fort Wayne.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Camp Scott Wetlands Phase III – A, B, & C."

Declares the cost of the said improvements shall be paid by the funds from the WPC Utility Revenue Bonds.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not acquire any additional property rights in conjunction with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $ 2,050,773.20.

APPROVED THIS 20th DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter - Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

RESOLUTION GRANTING EXTENSION OF TIME FOR FILING DUE DILIGENCE REPORT IN SUPPORT OF CONFIRMING RESOLUTION 89-211-1 BY THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

Whereas, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), confirmed and reaffirmed its desire to condemn and appropriate certain water and wastewater utility property of Utility Center, Inc. d/b/a AquaSource ("AquaSource") in its Resolution 89-211-1, made on the 10th of July, 2002; and

Whereas, in order to accurately assess the value of the relevant Aquasource assets, pursuant to the condemnation, it was necessary for the Board to receive a due diligence or other alternate valuation report; and

Whereas, the Board, as part of that Resolution, required that a due diligence report or other alternate evaluation report be presented to the Board no later than September 9, 2002; and

Whereas, the City is working with AquaSource to obtain the information and while AquaSource is cooperating in supplying the data, additional time is required in order to provide a thorough valuation report to the Board in support of its condemnation.

NOW, THEREFORE BE IT RESOLVED that the Board of Public Works hereby extends its previous deadline of September 9, 2002 for the due diligence or other alternate evaluation report in support of its Confirming Resolution 89-211-1. The Board instructs the City's officers to provide said report to the Board no later than March 31, 2003. In all other respects this Board's Confirming Resolution No. 89-211-1, dated July 10, 2002, shall remain the same.

Approved this 20th day of November, 2002

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Attest: Carolyn S. Newport, Clerk

Nov. 20, 2002
Date

BOARD OF PUBLIC WORKS

EMERGENCY RESOLUTION NUMBER 89-355-9

WHEREAS, Bunn Inc. completed transportation capital improvements which included the extension of a box culvert along Jefferson Boulevard at Freeman Street early in Year 2002; and

WHEREAS, City Utilities Development Services discovered a low volume drainage stream flowing under extended box culvert entrance to possible abandoned utility duct at west side of Freeman Street; and

WHEREAS, drainage stream flowing under box culvert could potentially undermine structure or freeze causing structure to heave and severely damaging new improvement.

WHEREAS, City Engineering with City Utilities concur that drainage flow under box culvert should be sealed and redirected through box culvert.

NOW, THEREFORE, the Board of Public Works hereby authorizes Bunn Inc. to seal off the low flow drainage going under the box culvert on the west side of Freeman Street along Jefferson Boulevard and redirect to box culvert entrance at a cost of $5,150.00 to be funded through the LR & S Miscellaneous account and issue a Purchase order on an emergency basis.

BOARD OF PUBLIC WORKS

Ted Rhinehart, Director

Denise Porter-Ross, Member

John Suarez, Member

Attest: Carolyn S. Newport, Clerk

November 27, 2002

BUNN inc.

Site Development
&
Asphalt Paving

Fax Transmittal Cover Sheet

TO: DAVE ROSS

COMPANY: CITY ENGINEERING

FROM: TIM SIBERT

DATE:

Number of Pages including Cover Sheet 2

COMMENTS:

3204 Lower Huntington Rd. • Fort Wayne, IN 46809 • Office 219.747.1791 • Fax 219.747.0185

If you want it done... Call

BUNN INC.

Excavating • Site Development • Asphalt Paving

3204 Lower Huntington Road Fort Wayne, Indiana 46809

Voice 219-747-5037 • Fax 219-747-0185

FAX QUOTATION

DATE: November 22, 2002
FROM: Tim Sibert
TO: Dave Ross
COMPANY: City of Fort Wayne

TIME: 9:02 AM, Page 1 of 1 Pages
PHONE/FAX 747-5037/747-0185
RE: Extras @ Jefferson/Freeman
FAX: (260) 427-1356

Dave,

All work is as discussed on site.

1. Provide all traffic control as needed.
2. Regrade and reshape existing riprap on east end, adding an additional 20 tons where needed.
3. Excavate at the west end of the new structures and fill will flowable fill to attempt to stop water penetration.

Total Cost: $5,150.00

Sincerely,
Bunn, Inc.

Timothy A. Sibert
Estimator, Project Manager

All information above is confidential and intended for the recipient only

Contact Tim Sibert @ 747-5037 or 417-2032 (m) if you have any question

BASS ROAD: HILLEGAS TO FALL CREEK – WATER MAIN EXTENSION RESOLUTION NO. 1561-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 330 LF of 12" water main, 110 LF of 24" casing, one (1) fire hydrants, one (1) valve, and all other appurtenances necessary for this project.

Said improvements with all their appurtenances shall be constructed via a sole source contract *(Attached)* with Fleming Excavating, Inc. Fleming Excavating is the utility subcontractor for the INDOT/ Allen County Highway Hillegas Road extension project, and is currently working along Bass Road installing other utilities in preparation for the new Hillegas pavement - to be installed Spring of 2003. Fleming has past experience installing water mains for the City of Fort Wayne and their proposal was both cost effective and advantageous to the City of Fort Wayne and Allen County Highway.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $23,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 27th DAY OF May, 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

BIOSOLIDS FACILITY
OFFICE AND EMPLOYEE AREA
RESOLUTION NO. 1555-2003

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the design and construction of a building addition to the Maintenance Building at the Biosolids Facility in order to provide additional office space and other employee area at that location.

Said improvements with all their appurtenances shall be constructed in accordance with the specifications titled, **"BIOSOLIDS FACILITY, OFFICE AND EMPLOYEE AREA"** (project).

Declares the cost of the said improvements shall be paid by the funds from the City of Fort Wayne Sewer Utility Revenue Fund.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire no property with this project.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $50,000.

Declares the project will not change fees currently paid to property owners in this area.

APPROVED THIS 4th DAY OF Dec., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

RESOLUTION OF THE BOARD OF PUBLIC WORKS

WHEREAS, on the 26th day of March 1997, the Board of Public Works entered into Sewer Contract 96-S-43 with the Mill Ridge Development Corporation for the provision of sanitary sewer service for Mill Ridge Addition, and

WHEREAS, said Sewer Contract specified that any commercial or residential property that used the Shackelford Lift station either by direct tap or through the extension or connection of lateral or local lines to service such land was subject to a telemetry reimbursement fee based on a one day usage to reimburse the City of Fort Wayne for the cost of the installation of a telemetry system at the aforesaid lift station.

WHEREAS, due to the recent construction and imminent activation of the North Maumee Regional Lift station, said Shackelford Lift Station is no longer necessary and will be removed from service.

NOW THEREFORE BE IT RESOLVED that the Board of Public Works shall no longer require that reimbursement fees be collected for the telemetry system that were specified in Sewer Contract 96-S-43 for new direct taps, extensions or connections of lateral or local lines connecting to sanitary sewer infrastructure previously served by the Shackelford Lift Station.

PASSED THIS 4th **day of** Dec **, 2002.**

.

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Denise Porter-Ross

Attest: Carolyn S. Newport

Carolyn S. Newport, Clerk of the Board

This document prepared by Jack G. Suter, Development Services

RESOLUTION OF THE BOARD OF PUBLIC WORKS
and
AGREEMENT BY CONTRIBUTOR

RE: Allen County Recorder's Documents 93-043116 and 97-0019383

WHEREAS, on the 14th day of July, 1993, the Board of Public Works entered into Sewer Contract S-92-S-42 with North Eastern Construction Co., Inc., Contributor, regarding the infrastructure construction, acceptance, and the provision of sanitary sewer service for the Meijer's shopping area and the Chandlers' Landing Offsite Sewer, and

WHEREAS, said Sewer Contract S-92-42 specified that if areas shown on an attached Exhibit A should at any time desire to use said sewer system by direct tap or extension or connection of lateral or local sewer lines thereof within fifteen (15) years of the date of said contract, the City would, prior to permitting such use, collect a fee to partially reimburse the Contributor for amounts expended to install a lift station and force main associated therewith, and

WHEREAS, on the 26 day of March, 1997, the Board of Public Works entered into Sewer Contract 96-S-43 with the Mill Ridge Development Corporation, Contributor, regarding the infrastructure construction, acceptance, and the provision of sanitary sewer service for Mill Ridge Addition, and

WHEREAS, said Sewer Contract 96-S-43 included the construction of a backup power system to serve the Shackelford Lift station that was constructed as part of Sewer Contract S-92-42, and

WHEREAS, said Sewer Contract 96-S-43 specified that any commercial or residential property that used the Shackelford Lift station either by direct tap or through the extension or connection of lateral or local sewer lines to service such land for a period of fifteen (15) years of the date of said contract the City would, prior to permitting such use, collect a fee to partially reimburse the Contributor for amounts expended to install said backup power system, and

WHEREAS, reimbursement fees either collected or waived by the Contributors of Sewer Contracts S-92-42 and Sewer Contract 96-S-43 are approximately $15,450 less than that expended to construct the lift station, force main, and back up power system, and

WHEREAS, due to the recent construction and the imminent activation of the North Maumee Regional Lift station, said Shackelford Lift Station and its back up power system is no longer necessary and it is further the desire of the Board of Public Works to remove said facility from service.

NOW THEREFORE BE IT RESOLVED that inasmuch as the Board of Public Works desires to abandon the Shackelford Lift station, reimbursement fees associated with Contracts S-92-42 and S-97-43 are no longer applicable and should no longer collected.

BE IT FURTHER RESOLVED that since the Contributor has not recaptured its original investment and the abandonment of the Shackelford Lift station is beyond the Contributor's control, that portion of any area connection fees subsequently collected for the North Maumee Regional Lift Station for real estate within the area described in Exhibit A of Sewer Contract S-92-42 that would previously been directed to the Shackelford Lift Station and its backup power system should be paid to the Contributor at the rate specified in said contracts for each connection until such time as the total fees eligible for reimbursement either collected and reimbursed, waived, or until July 14, 2008; whichever event occurs first. From that time on, no funds shall be reimbursed.

PASSED THIS 4th **day of** December, **2002.**

BOARD OF PUBLIC WORKS

Ted Rhinehart

John Suarez

Denise Porter-Ross

CONTRIBUTOR - North Eastern Construction Co. Inc.

By_____
J.L. Zehr, President

CONTRIBUTOR – Mill Ridge Development Corporation

By_____
Joseph L. Zehr, President

Attest:
Carolyn S. Newport, Clerk of the Board

This document prepared by Jack G. Suter, Development Services

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **J.L Zehr** as **President of North Eastern Construction Co. Inc. and President of Mill Ridge Development Corporation** and acknowledged the execution of the foregoing Agreement as and for his voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 8 day of November 2002.

My Commission Expires:

MARION L. ROBINSON
Notary Public, State of Indiana
County of Allen
My Commission Expires Feb 12, 2009

Marion L. Robinson
Notary Public
Resident of Allen County

Marion L. Robinson
Printed Name of Notary

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared **Ted Rhinehart, Chairman, John Suarez and Denise Porter-Ross,** as Members of the Board of Public Works of the City of Fort Wayne, and **Carolyn Newport**, Clerk of the Board of Works and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 4th day of December 2002.

MARION L. ROBINSON
Notary Public, State of Indiana
County of Allen
My Commission Expires Feb 12, 2009

My Commission Expires:

Marion L. Robinson
Notary Public
Resident of Allen County

A RESOLUTION AMENDING THE
GENERAL RULES AND REGULATIONS
OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY
BY THE BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

WHEREAS, recently a meeting was held with members of the general public concerning the accuracy and meaning of the wording in the Regulations of the Fort Wayne Water Pollution Control Utility ("regulations"); and

WHEREAS, after said meeting the staff conducted a review of said regulations and have determined that clarification was needed with regard to the necessity of recordation to validate a "contract purchaser;" and

WHEREAS, staff recommends that the definition of "Owner" on page 7 of said regulations be amended as follows:

""**OWNER**" – Designates the person holding the deed or record title to a premises. For the purposes of these Rules and Regulations, a contract purchaser is ~~not~~ considered an owner **of an equitable interest in the subject real estate** ~~unless the contract has been duly recorded in the Allen County Recorders Office~~. **Recordation of said contract is not necessary to validate said interest**. "

NOW, THEREFORE, THE BOARD OF PUBLIC WORKS HEREBY AMENDS THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY AS FOLLOWS:

(Pg. 7)

""**OWNER**" – Designates the person holding the deed or record title to a premises. For the purposes of these Rules and Regulations, a contract purchaser is considered an owner of an equitable interest in the subject real estate. Recordation of said contract is not necessary to validate said interest. "

SECTION 2. This amendment to the General Rules and Regulations shall be effective as of the 4th day of Dec., 2002.

Signed the 4th day of Dec., 2002.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Director

_____
John Suarez, Member

_____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

NORTHWEST PUMP STATION – VACUUM PRIMING INSTALLATION
RESOLUTION NO. 1563-02

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of an oil sealed rotary vane vacuum priming system, including all associated piping, mechanical and electrical equipment as necessary to complete this project.

Said improvements with all their appurtenances shall be constructed via a sole source contract *(Attached)* with Hydro Power, Inc. Hydro Power Inc. is the local authorized representative for the sale and servicing of Travaini Rotary Vane Vacuum Pumps. Hydro Power has a good working relationship with the Three Rivers Filtration Plant and has provided vacuum priming systems for the St Joe Dam and the East High Service Pump Room. To ensure owner familiarity with controls and operations, as well as to minimize spare parts needed in inventory, the same manufacturer will be utilized at the NW Pump Station.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $17,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 11th DAY OF Dec., 2002.

BOARD OF PUBLIC WORKS

BY: _____
Greg Meszaros, Chairman

BY: _____
John Suarez, Member

BY: _____
Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

IMPROVEMENT RESOLUTION NO. 6909-03
OAKHURST PARK ADDITION
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
MISC. CONCRETE REPAIRS IN THE OAKHURST ADDITION AT THE ADDRESS OF:
4332 OAKHURST – SIDEWALK REPAIRS; 4306 OAKHURST – WALKS AND DRIVE APPROACH REPAIR; 4219 OAKHURST – WALKS AND DRIVE APPROACH REPAIR; 4014 OAKHURST – DRIVE APPROACH REPAIR; 4336 OAKHURST – WALKS AND DRIVE APPROACH REPAIR, 4004 DARWOOD – SIDEWALK REPAIR; 3905 DARWOOD – SIDEWALK REPAIR; 5714 MONTAVILLA – SIDEWALK REPAIR; 5808 FONTANA – WALK AND DRIVE APPROACH REPAIR, 5606 KOHART - SIDEWALK REPAIR.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR SIDEWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18th day of Dec., 20__.

BOARD OF PUBLIC WORKS

Greg Meszaros
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: OAKHURST SIDEWALKS RES. NO.: 6909-03

DATE: 12/13/2002

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	204.5	SY	6.00	1227.00
2	Concrete Sidewalk (4")	185	SY	24.00	4440.00
3	Cement Concrete Pavement for Res. Dr., (6")	19.5	SY	28.00	546.00
4	Topsoil	25	TON	12.00	300.00
5	Seed & Mulch	75	SY	2.00	150.00
6	Water Valve (Curb Box) Adjusted to Grade	1	EA	50.00	50.00
7	Bed Course Material	25	TON	12.00	300.00
8	Construction Sign Type A	6	EA	80.00	480.00
9	Maintenance of Traffic	1	LS	500.00	500.00
10	Mobilization and Demobilization	1	LS	500.00	500.00
11	Tree Fertilization	16	EA	55.00	880.00

SUB-TOTAL: 9373.00
E&I @12% 1124.76

TOTAL: 10497.76

IMPROVEMENT RESOLUTION NO. 6911-03
INWOOD DRIVE, PHASE I
INWOOD DRIVE: STATE BLVD. TO VANCE AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
INWOOD DRIVE: STATE BLVD TO VANCE AVE BY REPLACING CURB RAMPS, CONCRETE CURB, DRIVE APPROACHES, WATER MAIN AND SERVICES, INSTALLING SUBSURFACE DRAINAGE IMPROVEMENTS, NEW STORM SEWER PIPES AND STRUCTURES, ASPHALT RESURFACING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR **CURBS, DRIVE APPROACHES, AND RESTORATION** shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for **WATER MAIN, SUBSURFACE DRAINAGE, STORM SEWER PIPES AND STRUCTURES** shall be assessed 100% on City Utilities, **ADA CURB RAMPS, ASPHALT RESURFACING** shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18th day of Dec., 2003

BOARD OF PUBLIC WORKS

Greg Mesaros
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6912-03
INWOOD DRIVE, PHASE I
INWOOD COURT: INWOOD DR. TO TERMINUS
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
INWOOD COURT: INWOOD DR. TO TERMINUS BY REPLACING CONCRETE CURB, DRIVE APPROACHES, WATER MAIN AND SERVICES, INSTALLING SUBSURFACE DRAINAGE IMPROVEMENTS, NEW STORM SEWER PIPES AND STRUCTURES, ASPHALT RESURFACING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR **CURBS, DRIVE APPROACHES, AND RESTORATION** shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for **WATER MAIN, SUBSURFACE DRAINAGE, STORM SEWER PIPES AND STRUCTURES** shall be assessed 100% on City Utilities, **ASPHALT RESURFACING** shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18th day of Dec., 2003

BOARD OF PUBLIC WORKS

Greg Meszaros
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

IMPROVEMENT RESOLUTION NO. 6913-03
INWOOD DRIVE, PHASE I
LYNWOOD COURT: INWOOD DR. TO TERMINUS
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
LYNWOOD COURT: INWOOD DR. TO TERMINUS BY REPLACING CONCRETE CURB, DRIVE APPROACHES, WATER MAIN AND SERVICES, INSTALLING SUBSURFACE DRAINAGE IMPROVEMENTS, NEW STORM SEWER PIPES AND STRUCTURES, ASPHALT RESURFACING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost FOR **CURBS, DRIVE APPROACHES, AND RESTORATION** shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for **WATER MAIN, SUBSURFACE DRAINAGE, STORM SEWER PIPES AND STRUCTURES** shall be assessed 100% on City Utilities, **ASPHALT RESURFACING** shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18th day of Dec., 2002.

BOARD OF PUBLIC WORKS

Greg Meszaros
Chairman

Denise Porter-Ross
Member

John Suarez
Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport
Clerk

ESTIMATE OF QUANTITIES

PROJECT: Inwood Drive Phase I: State Street to Vance Ave.
Water Main Replacement

RES. NO.:1101-02, 6911-03, 6912-03
, 6913-03

DATE: 12/13/2002

B.O. NO.:

BID DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
	WATER RESOURCES PORTION				
1.	Mobilization and Demobilization (5%)	1	LS	10000.00	10000.00
2.	8-Inch Dia., Class 350, DI Pipe, All Depths	2225	LFT	30.00	66750.00
3.	6-Inch Dia., Class 350, DI Pipe, All Depths	798	LFT	40.00	31920.00
4.	8-Inch Dia., Class 350, DI Pipe, Pushed Installation for Trees	540	LFT	65.00	35100.00
5.	6-Inch Dia., Class 350, DI Pipe, Pushed Installation for Trees	150	LFT	55.00	8250.00
6.	Polyethylene Encasement of DI Pipe, All Sizes	3713	LFT	1.00	3713.00
7.	Water Main Connection (State Street)	1	LS	3000.00	3000.00
8.	Water Main Connection (Vance Avenue)	1	LS	3000.00	3000.00
9.	Water Main Connection (Glencairn Drive)	1	LS	1500.00	1500.00
10.	Water Main Connection (Woodstock Drive)	1	LS	1500.00	1500.00
11.	Water Main Connection (Philip Way)	1	LS	1500.00	1500.00
12.	8-Inch RSW Gate Valve	6	EA	700.00	4200.00
13.	6-Inch RSW Gate Valve	5	EA	500.00	2500.00
14.	8 x 6 Inch Tee; Restrained Joint Installation	5	EA	250.00	1250.00
15.	8 x 6 Inch 4-Way; Restrained Joint Installation	1	EA	350.00	350.00
16.	8-Inch 45° Bend; Restrained Joint Installation	6	EA	200.00	1200.00
17.	8-Inch 11.25° Bend; Restrained Joint Installation	2	EA	200.00	400.00
18.	6-Inch 45° Bend; Restrained Joint Installation	6	EA	200.00	1200.00
19.	6-Inch 22.5° Bend; Restrained Joint Installation	1	EA	200.00	200.00
20.	6-Inch 11.25° Bend; Restrained Joint Installation	1	EA	200.00	200.00
21.	8-Inch MJ Plug; Restrained Joint Installation	1	EA	150.00	150.00
22.	6-Inch MJ Plug; Restrained Joint Installation	3	EA	150.00	450.00

ESTIMATE OF QUANTITIES

PROJECT: Inwood Drive Phase I: State Street to Vance Ave.
Water Main Replacement

RES. NO.:1101-02, 6911-03, 6912-03
, 6913-03

DATE: 12/13/2002

B.O. NO.:

BID DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
23.	Fire Hydrant Assembly, Type I	2	EA	2200.00	4400.00
24.	Fire Hydrant Assembly, Type III	4	EA	2200.00	8800.00
25.	Fire Hydrant Assembly, Type V	2	EA	1800.00	3600.00
26.	3/4-Inch Water Service Replacement - Short Side:	34	EA	425.00	14450.00
27.	3/4-Inch Water Service Replacement - Long Side:	30	EA	800.00	24000.00
28.	Cut and Plug (Water Main Abandonment)	4	EA	400.00	1600.00
29.	Fire Hydrant Assembly, Removal	6	EA	300.00	1800.00
30.	Valve Box, Removal	10	EA	250.00	2500.00
31.	Temporary Asphalt Pavement Patching; 6-Inch Minimum Depth Compacted Aggregate #53s	490	SYS	5.00	2450.00
32.	Temporary Asphalt Driveway Repair; 6-Inch Minimum Depth Compacted Aggregate #53s	40	SYS	5.00	200.00
33.	Temporary Concrete Driveway Repair; 6-Inch Minimum Depth Compacted Aggregate #53s	300	SYS	5.00	1500.00
34.	Temporary Gravel Driveway Repair; 6-Inch Minimum Depth Compacted Aggregate #53s	20	SYS	5.00	100.00
35.	Street Light Removal and Resetting	37	EA	500.00	18500.00
36.	Street Light Wiring Installation	2100	LFT	1.50	3150.00
37.	Audio/Video Survey	1	LS	700.00	700.00
38.	Work Allowance	1	LS	10000.00	10000.00
	SUB-TOTAL ENGINEER'S ESTIMATE FOR WATER ITEMS				**$ 276,083.00**
	TRANSPORTATION ENGINEERING SERVICES PORTION				
39.	Removal of curbs	7508	LFT	5.00	37540.00
40.	Removal of concrete	873	SYS	6.50	5674.50
41.	Surface Milling , Bituminous	10364	SYS	1.25	12955.00
42.	Remove & Replace ADA ramp (4)	28	SYS	44.00	1232.00
43.	Concrete Sidewalk, 4"	56	SYS	20.00	1120.00

ESTIMATE OF QUANTITIES

PROJECT: Inwood Drive Phase I: State Street to Vance Ave.
Water Main Replacement

RES. NO.:1101-02, 6911-03, 6912-03
, 6913-03

DATE: 12/13/2002

B.O. NO.:

BID DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
44.	Concrete Driveways, 6"	996	SYS	34.00	33864.00
45.	Concrete Curb Type I-B	7508	LFT	8.00	60064.00
46.	Bituminous Surface	522	TON	37.00	19314.00
47.	Bituminous Binder	1566	TON	27.00	42282.00
48.	Bituminous Mixture for Approaches	48	TON	60.00	2880.00
49.	Compacted Aggregate for Base, #53/#73s (Undistributed)	1310	TON	12.00	15720.00
50.	Compacted Aggregate for Driveways, #53/#73s	167	TON	14.00	2338.00
51.	Backfill Behind Curbs	270	TON	5.50	1485.00
52.	Topsoil	749	TON	15.00	11235.00
53.	Mulched Seeding	4344	SYS	1.00	4344.00
54.	Adjust Casting to Grade	14	EA	200.00	2800.00
55.	Castings Type "C", Furnished & Adjusted to Grade	22	EA	400.00	8800.00
56.	Underdrain, 6" Perforated Plastic, Group "K"	6509	LFT	7.50	48817.50
57.	Construction Signs, Type A	14	EA	100.00	1400.00
58.	Maintenance of Traffic	1	LS	11200.00	11200.00
59.	Mobilization and Demobilization	1	LS	10500.00	10500.00
60.	Construction Engineering	1	LS	4000.00	4000.00
61.					0.00
62.					0.00
	SUB-TOTAL ENGINEER'S ESTIMATE FOR ROAD ITEMS				**$ 339,565.00**

SUB-TOTAL	$	615,648.00
E&I @16%		98503.68
TOTAL:		**714151.68**

ESTIMATE OF QUANTITIES

PROJECT: Inwood Drive Phase I: State Street to Vance Ave.
Water Main Replacement

RES. NO.:1101-02, 6911-03, 6912-03
, 6913-03

DATE: 12/13/2002

B.O. NO.:

BID DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)

Inwood Drive Phase 1 - Funding Sources

ASSESSMENTS

LYNWOOD COURT		$ 16,914.46
INWOOD COURT		$ 6,092.84
INWOOD DRIVE		$ 67,958.62
ITEMS PROPERTY OWNERS SHARE - 60% =		$ 90,965.92

Estimated Costs - Funding Sources

City utilities (water main)		$ 276,083.00
Property owners assessments		$ 90,965.92
Cedit resurfacing		$ 93,031.00
2nd District Share		$ 115,568.08
1st District Share		$ 40,000.00
	street sub total	$ 339,565.00
	total	$ 615,648.00

RESOLUTION AUTHORIZING SIGNATORIES FOR THE SEWER REVOLVING (SRF) LOAN BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA

Resolution No. 89-384-5

WHEREAS, the Board of Public Works of the City of Fort Wayne, Indiana, herein called the community, has plans for a municipal water pollution control project to meet State and Federal regulations, such as the NPDES discharge limitations, and the community intends to proceed with the construction of such works; and

WHEREAS, it is necessary to authorize signatories for application to the SRF in support of the various qualified activities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

A. **Greg Meszaros, Ned Byrer and Valerie Breen**, as employees of the City of Fort Wayne, be authorized to make application for an SRF Loan and provide the Indiana Department of Environmental Management such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representatives of the community.

B. The community agrees to comply with the Department of Environmental Management, State of Indiana and Federal requirements as they pertain to the SRF.

C. That two certified copies of this resolution be prepared and submitted as part of the community's Preliminary Engineering Report.

D. That this resolution supercedes and replaces prior signatory authorizations.

ADOPTED this 18th **day of** Dec., **2002.**

THE CITY OF FORT WAYNE, INDIANA BY AND THROUGH ITS BOARD OF PUBLIC WORKS

GREG MESZAROS, CHAIRMAN

DENISE PORTER-ROSS, MEMBER

JOHN SUAREZ, MEMBER

ATTEST: Carolyn Newport

CAROLYN NEWPORT

January 2, 2002

Board of Public Works
Meeting held at 9:00 a.m.
Room 250 – Omni Room

Ted Rhinehart, Chairman
John Suarez, Member
Stefanie R. Crawford, Member

Carolyn S. Newport, Clerk

PRESENT: All Members and Clerk; Jack Suter and Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Jim Howard, Law Department; Dawn Ritchie, Solid Waste Department; Mario Trevino, Brian Kiess, & Kyle Geise, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic, Planning and Design Services; Jim Riemke, Street Light Engineering; Scott Hile, Benchmark Const.

Ted Rhinehart stated that Stefanie Crawford had taken a position with a law firm in Indianapolis, Indiana and would not be serving as a Board Member for the Board of Public Works after today. Mr. Rhinehart thanked Ms. Crawford for serving on the Board.

1. AWARD: Improvement Resolution #6828-01, West State Blvd.: Tyler to Poinsette to Key Concrete, Inc. in the amount of $96,740.25. Contract Compliance concurs with this award;
   Stefanie Crawford moved approval of award for Improvement Resolution #6828-01, West State Blvd.: Tyler to Poinsette to Key Concrete, Inc. in the amount of $96,740.25. Motion carried. Notice of award to be sent. Transportation Engineering to prepare contracts.

2. Approval of Board of Public Works Minutes for December 26, 2001;
   John Suarez moved approval of Board of Public Works Minutes for December 27, 2001. Motion carried. Minutes approved.

3. Approval of RESOLUTION Amendment to Contract for Residential Solid Waste Collection;

   Dawn Ritchie, Solid Waste Manager apprised the Board of the following: this amends the Contract Specifications to provide for the billing for collection and disposal of all waste from commercial containers at City facilities other than Parks to be on a basis of 80 pounds per cubic yard at the applicable tonnage rate specified in the City Contract. The number of cubic yards for billing purposes will be the total capacity in yards of all the commercial containers used at City facilities other than Parks. This Amendment shall be in effect immediately for the remaining term of the City's Residential Solid Waste Collection and Disposal Contract with National Serv-all Inc., which is in effect until December 31, 2004 with an option to extend the Contract for one additional year.
   Stefanie Crawford moved approval of Resolution Amendment to Contract for Residential Solid Waste Collection. Motion carried. Copy to be herein incorporated.

4. Approval of Assessment Roll for Resolution #6811-01, Snowfall Court. Property owners have waived their rights to a public hearing;
Stefanie Crawford moved approval of Assessment Roll for Resolution #6811-01. Motion carried. Assessments to be sent.

5. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Construction, Inc. on Stone Creek, Section III special streets (this includes the portions of Rocky Glen Place and Bremen Way within Section III) as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Wayne Asphalt & Construction, Inc. on Stone Creek, Section III special streets. Motion carried. Acceptance letter to be sent.

6. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Pioneer Associates on Improvement Resolution #6706-01, Curb Ramp Program 2000 Intersections Pkg. III as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Pioneer Associates on Improvement Resolution #6706-01 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

7. Approval of Change Order #1 (FINAL) received from Lights and Signals, Inc. on Improvement Resolution #266-00, Glenwood Park Extended Phase II increasing the contract price by $37.45. The original contract price was $54,486.50. The new contract price including this change order is $54,523.95;
Stefanie Crawford moved approval of Change Order #1 (FINAL) received from Lights and Signals, Inc. on Improvement Resolution #266-00 increasing the contract price by $37.45. Motion carried. Contract price to be increased.

8. Approval of Change Order #1 (FINAL) received from The Robert Henry Corporation on Improvement Resolution #270-01, Glenwood Park Extended Phase III decreasing the contract price by $1,198.54. The original contract price was $32,997.79. The new contract price including this change order is $31,799.25;
Stefanie Crawford moved approval of Change Order #1 (FINAL) received from The Robert Henry Corporation on Improvement Resolution #270-01 decreasing the contract price by $1,198.54. Motion carried. Contract price to be decreased.

9. Approval of Escrow Agreement between the City of Fort Wayne and Dafforn Excavating, Inc. for Improvement Resolution #1096-01, Pinewood/Orchard Lane Water Main Replacement. Escrow Agent is Grabill Bank;
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Dafforn Excavating, Inc. for Improvement Resolution #1096-01. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

10. Approval of Water Contract #2001-W-12 between NPT Development Corp. and the Fort Wayne Water Utility to construct a local water main system to serve Hawthorne Park Offsite. This project is located outside the City of Fort Wayne (UTILITY CAPITAL);

Greg Meszaros, Chief of Engineering stated that this contract is for the construction and transfer of ownership of 5,548 feet of 16" high pressure water main and appurtenances to serve an emerging growth area in the area of the new Parkview Hospital Complex near Dupont and Diebold Roads. The total value of the new infrastructure is $240,687.85.
Stefanie Crawford moved approval of Water Contract #2001-W-12 between NPT Development Corp. and the Fort Wayne Water Utility to construct a local water main system to serve Hawthorne Park Offsite. Motion carried. Water main system to be constructed.

11. Approval of Sanitary Sewer Contract #2001-S-46 between NPT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Offsite. This project is located outside the City and is in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

    Greg Meszaros, Chief of Engineering stated that this contract is for the construction and transfer of ownership of a 6,500' sewage force main, a regional sewage lift station and gravity sewer to serve an emerging growth area in the Perry Township area. The total value of the new infrastructure, including engineering and real estates costs is $442,149.82.
    John Suarez moved approval of Sanitary Sewer Contract #2001-S-46 between NPT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Offsite. Motion carried. Sanitary sewer system to be constructed.

12. Approval of Sanitary Sewer Contract #2001-S-50 between NPT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Section I, II, III and Villas. This project is located outside the City and is in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

    Greg Meszaros, Chief of Engineering apprised the Board of the following: this is an onsite sanitary sewer to serve residents in the Perry Township area. Section I & II to include 5,871 L.F. of 8" & 10" PVC Pipe and 27 manholes. Section III sewer to include 2268 L.F. of 8" PVC Pipe and 10 manholes. Hawthorne Park Villas to include 2,341 L.F. of 8" and 15" PVC Pipe and 11 manholes.
    Stefanie Crawford moved approval of Sanitary Sewer Contract #2001-S-50 between NPT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Offsite. Motion carried. Sanitary sewer system to be constructed.

13. Approval of Taxi Cab License Application Renewal for Mary Ann McGowen. Records check indicates no violation contrary to the City's Taxi Cab Ordinance;
    Stefanie Crawford moved approval of Taxi Cab License Application renewal for Mary Ann McGowen. Motion carried. Taxi Cab License to be issued.

14. Approval of Claims in the amount of $5,873,032.93;
    Stefanie Crawford moved approval of Claims in the amount of $ 5,873,032.93. Motion carried. Claims to be sent to the Finance Department.

15. Old Business;

None.

16. New Business;

Change Order #3 for Improvement Resolution #6730-01, Freeman/Taylor Intersection received from Benchmark Construction, LLC decreasing the contract price by $2,700.00 for assessed liquidated damages;

Mario Trevino, Director of Transportation Engineering Services apprised the Board of the following: Benchmark Construction was issued the Notice to Proceed on 3/1/01. On 3/19/01, Verizon began relocation work and substantially completed the work on 5/7/01. Benchmark indicated that they would begin on 5/9/01. There was no written correspondence from Benchmark on delays caused by Verizon relocation. On 5/22/01 Benchmark commences work and worked sporadically with an average crew size of 3 but not very aggressive through the middle of June.

On June 14, Benchmark was made aware of City's intent to expand scope of work to include water main work. The water main installation began on 6/26/01 and was completed on 7/26/01.

On 8/2/01, the extension was processed for water main work. Then there was multiple "no show" days for the contractors even though there were sunny days. On 8/8/01, the Board of Public Works approved the extension. On 8/24/01, the water connection was made. Again no discussion regarding delays from Verizon early in the project, only those days involved with water main work.

On 9/21/01, the job was substantially completed and the original completion date was 7/31/01.

Mario Trevino recommended that Benchmark Construction be charged liquidated damages for 27 days at $100.00 per day.

Scott Hile, Benchmark Construction Co. LLC, stated that he was contesting the liquidated damages because he did not feel it was their fault. He presented the Board with a bar chart with a time summary. Mr. Hile apprised the Board of the following: the work time allowed per bid was originally 122 days. The work time added per change order for the water main relocation/upgrade was increased by 25 days. There was a delay due to the telephone relocation of 42 days. The water relocation/upgrade caused a 14 day delay. That would make the completion date 147 days and the actual completion date was 9/26/01, which means the work was performed in 124 days.

Mr. Hile stated that he felt giving written notice was not an issue.

Ted Rhinehart stated that he felt there had been a communication problem.

Ted Rhinehart asked Mr. Hile about the no show days when there was good weather.

Mr. Hile stated that he had pulled his workers to work on another City job.

John Suarez moved to reduce the liquidated damages charge to $50.00 per day instead of $100.00 per day. Motion carried. Liquidated damages to be charged $1,350.00 instead of $2,700.00.

Meeting adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

Stefanie R. Crawford, Member

John Suarez, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

January 9, 2001

Board of Public Works
Meeting held at 9:00 a.m.
Room 250 – Omni Room

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic, Mick Hicks, Mike Thornson, and Matthew Wirtz, Planning & Design; Dawn Ritchie, Solid Waste Department.

Ted Rhinehart welcomed Denise Porter-Ross as an interim Board Member.

1. **RECEIVE BIDS:** Fort Wayne Police Department Operation Center

	BASE BID	ALT. NO. 1
STRAHM	$175,370.00	$4,119.00
LOUIS LEE LENGACHER	$149,500.00	$3,280.00
HAROLD MCCOMB & SON	$160,900.00	$3,040.00
TECTON	$162,000.00	$2,650.00
KINDER BUILDERS INC	$154,195.00	$3,226.00
R.E. CROSBY INC	$155,480.00	$3,000.00
SHAWNEE CONSTRUCTION	$161,900.00	$4,800.00

2. **RECEIVE BIDS:** Improvement Resolution #6835-01, Felician Street Phase II: Fleetwood Avenue to Woodside Drive

BROOKS CONST.	$154,400.60
GARCIA CONCRETE CONST.	$127,250.00
HIPSKIND CONCRETE CORP.	$107,879.00
KEY CONCRETE INC.	$ 98,837.00
RICHARD NESS EXC.	$121,180.00
NEWELL CONST.	$111,050.00
Engineer's Estimate:	$116,479.35

3. Approval of Board of Public Works Minutes of January 2, 2002;
John Suarez moved approval of Board of Public Works Minutes of January 2, 2002;

4. Approval of Amendment to **RESOLUTION** Amendment to Contract for Residential Solid Waste Collection;

Dawn Ritchie, Solid Waste Manager stated that this Resolution Amendment to Contract for Residential Solid Waste Collection is the same as the Resolution approved last week with the exception of the effective date of the completion of the amendment which is now December 31, 2002. Ms. Ritchie said that parties agree to perform another waste audit during 2002 to verify that 80 pounds per cubic yard is still an accurate conversion factor for the commercial containers.
John Suarez moved approval of Amendment to Resolution Amendment to Contract for Residential Solid Waste Collection. Motion carried. Copy to be herein incorporated.

5. Approval of Amendment to Professional Services between the City of Fort Wayne and Paul I. Cripe for Resurfacing Package 2002-A. This amendment is for an additional $6,000.00.

Ted Rhinehart said that the additional fees are due to the preparation of a separate bid package for the section on South Harrison from Killea to Rudisill.
John Suarez moved approval of Amendment to Professional Services between the City of Fort Wayne and Paul I. Cripe for Resurfacing Package 2002-A. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

6. Approval of **IMPROVEMENT RESOLUTION #6829-01,** Pontiac Street: Fairfield Avenue to Anthony Blvd.

Mario Trevino, Director of Transportation Engineering Services apprised the Board that this Resolution is for improvement of the following:

Pavement milling, resurfacing, marking; curb ramp construction; curb, sidewalk, and driveway reconstruction as necessary; seeding restoration and other related roadway work.
Denise Porter-Ross moved approval of Improvement Resolution #6829-01. Motion carried. Bids to be received on January 30, 2002.

7. Approval of **IMPROVEMENT RESOLUTION #6838-02,** Azalea Drive: Bethany Lane to Bayberry Drive:

Mario Trevino, Director of Transportation Engineering Services stated that this Resolution is for reconstructing cement concrete street, driveway and drainage improvement.
John Suarez moved approval of Improvement Resolution #6838-02. Motion carried. Bids to be received on January 25, 2002.

8. Approval of **IMPROVEMENT RESOLUTION #6839-02**, St. Martins Street: Lafayette to Hanna Street;

Mario Trevino, Director of Transportation Engineering Services said that this Resolution is for reconstructing the sidewalk, alley approaches, drive approaches, and new ADA curb ramps.
Denise Porter-Ross moved approval of Improvement Resolution #6839-02. Motion carried. Copy to be herein incorporated. Bids to be received on January 30, 2002;

9. Approval of **IMPROVEMENT RESOLUTION #6840-02,** Chestnut Street: Dubois Street to Summer Street;

Mario Trevino, Director of Transportation Engineering Services said that this Resolution is for reconstructing the sidewalk, yardwalks, and drive approaches.
John Suarez moved approval of Improvement Resolution #6840-02. Motion carried. Copy to be herein incorporated. Bids to be received on January 25, 2002;

10. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Widner Paving, Inc. on Improvement Resolution #6652-99, Public Sidewalk Curb Ramp, 1999 Intersections: Package 7 as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Widner Paving, Inc. on Improvement Resolution #6652-99 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

11. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Const. Co. Inc. on Improvement Resolution #6689-01, Resurfacing Pkg. B-2001 as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Widner Paving, Inc. on Improvement Resolution #6689-01 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

12. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Dehner Const. Co Inc. on Improvement Resolution #6797-01, Radcliffe Drive as an integral part of the City's transportation system;

John Suarez moved to accept the work performed by Dehner Const. Co. Inc. on Improvement Resolution #6797-01 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

13. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Wayne Asphalt & Const. Co, Inc. on Improvement Resolution #6818-01, Turnwood Drive Cul-De-Sac as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Wayne Asphalt & Const. Inc. on Improvement Resolution #6818-01 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

14. Approval of **IMPROVEMENT RESOLUTION #645-2002,** East Shore Drive Sanitary Sewer Extension;

Pat Callahan, Planning & Design, said that this project is a result of a petition received and is for the construction of approximately 760 L.F. of 8" sanitary sewer and appurtenances starting from an existing manhole at the corner of East Shore Drive and Upper St. Joe Road and extending north along East Shore Drive.
Denise Porter-Ross moved approval of Improvement Resolution #645-2002. Motion carried. Copy to be herein incorporated.

15. Approval of Change Order #1 and FINAL received from Geiger Excavating, Inc. for Improvement Resolution #1085-01, Colony Drive Water decreasing the contract price by $1,514.98. The original contract price was $109,785.00. The new contract price including this change order is $108,270.02;

Ron Sheppard, Engineering Support Services, said this change order is for a final adjustment of quantities.
John Suarez moved approval of Change Order #1 and FINAL received from Geiger Excavating, Inc. for Improvement Resolution #1085-01, Colony Drive Water decreasing the contract price by $1,514.98. Motion carried. Contract price to be decreased.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Cleland Environmental Engineering, Inc. for Program Management for Wastewater Treatment Plant Capital Programs. The total-not-to-exceed for this Contract is $83,190.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design stated that this contract is for administrative duties, selected in house studies and engineering designs and coordination with other City Departments as related to the Wastewater Treatment Plant Capital Programs.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Cleland Environmental Engineering, Inc. for Program Management for Wastewater Treatment Plant Capital Programs. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Hometown Engineering, LLC for Program Management for Water Filtration Plant Capital Programs. The total not-to-exceed fee for this Contract is $98,900.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design stated that this contract is for administrative duties, selected in house studies and engineering designs and coordination with other City Departments as related to the Water Treatment Plant Capital Programs.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Hometown Engineering, LLC for Program Management for Water Filtration Plant Capital Programs. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Griffin Real Estate Services for the possible purchase of property at Camp Scott. The cost of the work is a not-to-exceed sum of $1,500.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services said that the anticipated scope of services would include:

(1) Preparing and attempting offer to purchase for the above-reference property
(2) If successful, coordinate with the seller, the ordering of a survey, title insurance, warranty deed, and closing affidavit
(3) Work with designated attorney relative to reviewing the survey, title insurance, warranty deed, and closing affidavit

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Griffin Real Estate Services for the possible purchase of property at Cam Scott. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

19. Approval of Amendment No. 2 to professional Engineering Services between the City of Fort Wayne and Crossroad Engineering, PC for the design of Inwood Drive: State to Vance Water Main Replacement. This amendment is for an additional $20,000.00 and increases the not-to-exceed-amount for this Contract to $79,400.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design said that by increasing the scope of work, the construction of the project will combine water main replacement and street improvements and make the project more efficient for the City and less intrusive to the property owners in the area.

John Suarez moved approval of Amendment No. 2 to professional Engineering Services between the City of Fort Wayne and Crossroad Engineering, PC for the design of Inwood Drive: State to Vance Water Main Replacement. Motion carried. Notice to proceed to be sent. Planning & Design Services recommend approval.

20. Approval of Amendment to Professional Services Agreement between the City of Fort Wayne and Samuel Moore & Associates for US 33 Water Relocation. This increases the contract amount by $11,000.00;

Mike Hicks, Planning & Design apprised the Board of the following: the original contract had "utility locates" as an optional service. Through the preliminary technical memo, certain sections of the existing water line were noted as possibly having enough cover to leave in place, even after the new road is constructed.

The vertical and horizontal location of the waterline at these locations needs to be determined. This can be done by "potholing". This Amendment will involve the Consultant hiring an outside firm to do the potholing and then the consultant will analyze the information obtained.

Denise Porter-Ross moved approval of Amendment to Professional Services Agreement between the City of Fort Wayne and Samuel Moore & Associates for US 33 Water Relocation. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

21. Approval of Sewer Contract #2001-S-53 between Feichter Trust and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Thistlehwaite Property. This project is outside the City and is in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

Jack Suter remarked that said property is north of Wallen Road and west of Auburn Road. Said sewer to include 738 L.F. of 8" PVC pipe.

John Suarez moved approval of Sewer Contract #2001-S-53 between Feichter Trust and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Thistlehwaite Property. Motion carried. Sanitary sewer system to be constructed.

22. Approval of Sewer Contract #2001-S-56 between the Fort Wayne Area Associations of Realtors and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Fort Wayne Area Associations of Realtors. This project is outside the City and is in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

Jack Suter said that this development is located east of I-69 and is on the north side of Dupont Road. Said sewer includes 180' of 8" PVC pipe.
Denise Porter-Ross moved approval of Sewer Contract #2001-S-56 between the Fort Wayne Area Associations of realtors and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Fort Wayne Area Associations of Realtors. Motion carried. Sanitary sewer system to be constructed.

23. Approval of write-off of City Utilities revenue accounts for the month of October, 2001 in the amount of $18,728.69;
Denise Porter-Ross moved approval of write-off of City Utilities revenue accounts for the month of October, 2001 in the amount of $18,728.69. Motion carried. City Utilities revenue accounts to be sent to a collection agency.

24. Approval of Barrett Law claims in the amount of $112,574.88;
John Suarez moved approval of Barrett Law claims in the amount of $112,574.88. Motion carried. Barrett Law claims to be sent to the Barrett Law Accountant.

25. Approval of General Accounting claims in the amount of $6,499,277.79;
Denise Porter-Ross moved approval of General Accounting claims in the amount of $6,499,277.79. Motion carried. General Accounting claims to be sent to the Department of Finance.

26. Old Business:

None.

27. New Business:

(1) Approval of Change Order #1 and FINAL received from Fleming Excavating on Improvement Resolution #592-99, Southgate Phase II decreasing the contract price by $53,232.25. The original contract price was $924,571.35. The new contract price including this change order is $871,339.10;

Ron Sheppard, Engineering Support Services, said that this Change Order is for a final quantity adjustment.
John Suarez moved approval of Change Order #1 and FINAL received from Fleming Excavating on Improvement Resolution #592-99, Southgate Phase II decreasing the contract price by $53,232.25. Motion carried. Contract price to be decreased.

(2) Approval of Authorization for Full Release of Escrow received from Reynolds, Inc. for Improvement Resolution #629-00, Morton Street Combination Sewer Rehabilitation in the amount of $57,806.00);
Denise Porter Ross moved approval of Authorization for Full Release of Escrow received from Reynolds, Inc. for Improvement Resolution #629-00, Morton Street Combination Sewer Rehabilitation in the amount of $57,806.00. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.

(3) Approval of Change Order #1 and FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6792-01, Lakeshores Addition increasing the contract price by $5,341.42. The original contract price was $77,957.00. The new contract price including this change order is $83,298.42.

Mario Trevino, Director of Transportation Engineering Services said that liquidated damages for 10 days were charged to the Contractor. Mr. Trevino said that sidewalks needed to be raised more than expected so more fill was necessary. More concrete pavement was used for residential drive per property owner's request.
John Suarez moved approval of Change Order #1 and FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6792-01, Lakeshores Addition increasing the contract price by $5,341.42. Motion carried. Contract price to be increased.

(4) Approval of Change Order #1 and FINAL received from Brooks Construction for Improvement Resolution #6824-01, Prospect Avenue increasing the contract price by $5,005.49. The original contract was $120,198.50. The new contract price including this change order is $125,203.99;

Mario Trevino, Director of Transportation Engineering Services apprised the Board of the following: the consultant missed two items when he put together this contract: fertilizing trees and bed course material. Since there was no bed course material bid, they used compacted aggregate for base. Thus this item over ran. The other items that over ran were tree removal and tree replacement. After the common excavation was completed exposing the tree root system, bill Diedrichs from the Parks Department decided four additional trees should be removed. New trees were added to enhance the area.
Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Brooks Construction for Improvement Resolution #6824-01 increasing the contract price by $5,005.49. Motion carried. Contract price to be increased.

(5) Approval of Change Order #1 and FINAL received from Benchmark Construction for Improvement Resolution #6722-01, Alley Reconstruction on Beaver to Lexington increasing the contract price by $93.40. The original contract price was $25,600.00. The new contract price including this change order is $25,693.40;

Mario Trevino, Director of Transportation Engineering Services said that this change order reflects quantities used to complete the project.
Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Benchmark Construction for Improvement Resolution #6722-01, Alley Reconstruction on Beaver to Lexington increasing the contract price by $93.40. Motion carried. Contract price to be increased.

(6) Approval of Change Order #2 and FINAL received from Bunn Excavating Inc. for Improvement Resolution #6712-00, Lindenwood & Spring Street Intersection decreasing the contract price by $2,942.51. The original contract price was $248,541.85. The new contract price including this change order is $247,506.84;

Mario Trevino, Director of Transportation Engineering Services apprised the Board of the following: an error was made on change order #1 in the amount of $12,040.00. Two-inch conduit steel galvanized was reduced by 650 LF. The unit price on change order #1 was $9.00 and it should have been $7.40, thus increasing the change order to $251,489.356 instead of $250,449.35. Mr. Trevino said that liquidated damages were charge to the contractor on this project.

John Suarez moved approval of Change Order #2 and FINAL received from Bunn Excavating Inc. for Improvement Resolution #6712-00, Lindenwood & Spring Street Intersection decreasing the contract price by $2,942.51. Motion carried. Contract price to be decreased.

Meeting adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

January 9, 2001

Board of Stormwater Management
Meeting held at 10:05 a.m.
Room 250 – Omni Room

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic, Mick Hicks, Mike Thornson, and Matthew Wirtz, Planning & Design; Dawn Ritchie, Solid Waste Department.

1. Approval of Stormwater Management Minutes of December 26, 2002;
John Suarez moved approval of Stormwater Management Minutes of December 26, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #637-2002,** Delray Drive – Jonquil Drive-Rockwood Drive Stormwater System Improvement;

Mike Thornson, Planning & Design stated that this Resolution is for the stormwater system improvements, including approximately 1,060 lineal feet of storm system and appurtenant structures, along the 3100 block of Delray Drive and the 5200 blocks of Vance Avenue in the Glenwood Park Extended Addition.
Denise Porter-Ross moved approval of Improvement Resolution #637-2002. Motion carried. Copy to be herein incorporated.

3. Old Business:

None.

4. New Business:

Approval of Authorization for Full Release of Escrow received from Land, Inc. on Improvement Resolution #611-00, Ludwig Park/Rodenbeck Drive Storm Project in the amount of $10,873.72;
John Suarez moved approval of Authorization for Full Release of Escrow received from Land, Ind. on the Improvement Resolution #611-00 in the amount of $10,873.72. Motion carried. Authorization for Full Release of Escrow to be sent to the Escrow Agent.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

January 16, 2002

Board of Public Works
Meeting held at 9:00 a.m.
Room 250 – Omni Room

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter, Development Services; Mark Gensic, Ethel Morgan, and Matthew Wirtz, Planning & Design; Dawn Ritchie, Solid Waste Department; Bill Simmons, Water Resources.

1. **RECEIVE BIDS:** Contract 02-01, Restoration of Water Maintenance Utility Cuts (Winter Cuts)

ROBBCO, INC.	$213,424.95
T-E INC.	$264,206.25
WIDNER PAVING	$172,627.50
ENG. EST.	$193,145.00

Water Resources to tabulate and report.

2. **RECEIVE BIDS:** Contract 02-02, Restoration of Water Maintenance Utility Cuts (Cuts from 4/1/02 through 11/30/02)

ROBBCO, INC.	$284,577.24
T-E INC.	$365,176.25
WIDNER PAVING	$241,372.50
ENG. EST.	$270,286.35

Water Resources to tabulate and report.

3. **RECEIVE BIDS:** Sale of Real Estate located at 415 W. State Blvd.:

   One bid was received from Ty Taing & Ky Taing, Owners of Tom's Donuts, 407 W. State, Fort Wayne, IN 46808 in the amount of $1,750.00.

   Ted Rhinehart thanked Jim Deathe for working with the State on the West State project and also thanked Shelli Young, Property Manager for her contribution on the Sale of Real Estate.

   David Ross, City Engineer, requested to remove the bid to review and make recommendation under Old Business.

4. **AWARD:** Improvement Resolution #6835-01, Felician Street Phase II: Fleetwood Avenue to Woodside Drive to Key Concrete Inc. in the amount of $98,837.00;
   John Suarez moved approval of award for Improvement Resolution #6835-01, Felician Street Phase II: Fleetwood Avenue to Woodside Drive to Key Concrete Inc. in the amount of $98,837.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Authorizing the Reimbursement of Certain Expenses from the City of Fort Wayne, Indiana, Redevelopment District Revenue Bonds of 2002;

Ted Rhinehart stated that certain preliminary costs in financing certain projects have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Bonds and this Resolution declares the official intent of the City that these costs in financing the construction of the projects will be reimbursed from the proceeds of the Bonds.
Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, Authorizing the Reimbursement of Certain Expenses from the City of Fort Wayne, Indiana, Redevelopment District Revenue Bonds of 2002. Motion carried. Copy to be herein incorporated. Resolution to be sent to City Council.

6. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Authorizing the Reimbursement of Certain Expenses from the City of Fort Wayne, Indiana, Motor Vehicle Highway Fund Revenue Bonds of 2002;

   Ted Rhinehart stated that this Resolution declares the official intent of the City that the costs in financing the construction and equipping of a new transportation facility on Young Road will be reimbursed prior to the issuance and delivery of the Bonds.
   John Suarez moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, Authorizing the Reimbursement of Certain Expenses from the City of Fort Wayne, Indiana, Motor Vehicle Highway Fund Revenue Bonds of 2002. Motion carried. Copy to be herein incorporated. Resolution to be sent to City Council.

7. Approval of Board of Public Works Minutes of January 9, 2002;
   John Suarez moved approval of Board of Public Works Minutes of January 9, 2002. Motion carried. Minutes approved.

8. Approval of Technical Services Agreement between the Board of Public Works and Shoppers, Inc. for the Public Works/City Utilities Mystery Shopper Program;

   Dawn Ritchie, Solid Waste Manager, stated that Shoppers, Inc. performed a pilot program last year which was very successful. This Agreement extends the services for one year. Mrs. Ritchie remarked that the feedback from these services would improve the overall quality to pubic.
   Denise Porter-Ross moved approval of Technical Services Agreement between the Board of Public Works and Shoppers, Inc. for the Public Works/City Utilities Mystery Shopper Program. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

9. Approval of Change Order #1 & FINAL received from Hipskind Concrete, Inc. for Improvement Resolution #6823-01, Urban Enterprise Association 2001 increasing the contract price by $1,809.65. The original contract price is $60,208.70. The new contract price including this change order is $62,018.35;

   Mario Trevino, Director of Transportation Engineering Services said that this change order reflects quantities used to complete the project.
   John Suarez moved approval of Change Order #1 & FINAL received from Hipskind Concrete, Inc. for Improvement Resolution #6823-01, Urban Enterprise Association 2001 increasing the contract price by $1,809.65. Motion carried. Contract price to be decreased.

10. Approval of Change Order #3 and FINAL received from Bunn Inc. for Improvement Resolution #6728-01, Crescent Ave. – State Blvd. to Vance Avenue decreasing the contract price by $1,167.39. The original contract price was $315,020.70. The new contract price including this change order is $469,l84.50;

    Mario Trevino, Director of Transportation Engineering Services said that this change order reflects quantities used to complete the project.
    Denise Porter-Ross moved approval of Change Order #3 and FINAL received from Bunn Inc. for Improvement Resolution #6728-01, Crescent Ave. – State Blvd. to Vance Avenue decreasing the contract price by $1,167.39. Motion carried. Contract price to be decreased,

11. Approval of Change Order #1 and FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6744-01, Main Street decreasing the contract price by $3,343.31. The original contract price is $173,116.50. The new contract price including this change order is $169,773.19;

Mario Trevino, Director of Transportation Engineering Services said that final quantities and original scope of project changed due to participation of property owners.
John Suarez moved approval of Change Order #1 and FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6744-01, Main Street decreasing the contract price by $3,343.31. Motion carried. Contract price to be decreased.

12. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6746-01, West Jefferson Blvd., Phase III, IV, and V decreasing the contract amount by $87,372.10. The original contract price was $672,983.80. The new contract price including this change order is $585,611.70;

Mario Trevino, Director of Transportation Engineering Services remarked that not all quantities were needed to construct the project to standard.
Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6746-01, West Jefferson Blvd., Phase III, IV, and V decreasing the contract amount by $87,372.10. Motion carried. Contract price to be decreased.

13. Approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6818-01, Turnwood Drive Cul-de-sac decreasing the contract price by $4,290.56. The original contract price was $30,931.50. The new contract price including this change order is $26,640.94;

Mario Trevino, Director of Transportation Engineering Services explained that not all street quantities were necessary to complete project construction.
John Suarez moved approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6818-01, Turnwood Drive Cul-de-sac decreasing the contract price by $4,290.56. The original contract price was $30,931.50. Motion carried. Contract price to be decreased.

14. Approval of Construction Contract for Improvement Resolution #6828-01, West State Blvd.: Tyler to Poinsette between Key Concrete, Inc. and the City of Fort Wayne in the amount of $96,740.25;
Denise Porter-Ross moved approval of Construction Contract for Improvement Resolution #6828-01, West State Blvd.: Tyler to Poinsette between Key Concrete, Inc. and the City of Fort Wayne in the amount of $96,740.25. Motion carried. Notice to proceed to be sent.

15. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Benchmark Construction on Improvement Resolution #6671-00, East State @ Maysville & Lahmeyer as an integral part of the City's transportation system;
John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Benchmark Construction on Improvement Resolution #6671-00, East State @ Maysville & Lahmeyer as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

16. Approval of recommendation received from Transportation Engineering Services to accept the work performed by S. E. Johnson Cos. On Improvement Resolution #6687-00, Covewood Drive Extension: Clubridge Drive to Airport Road as an integral part of the City's transportation system;
John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by S. E. Johnson Cos. On Improvement Resolution #6687-00, Covewood Drive Extension: Clubridge Drive to Airport Road as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Const. Co., Inc. on Improvement Resolution #6782-01, Lakeshores Addn. as an integral part of the City's transportation system;

John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Const. Co., Inc. on Improvement Resolution #6782-01, Lakeshores Addn. as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

18. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6807-01, Public Sidewalk Curb Ramp Program – Year 2001 Intersections Pkg. III as an integral part of the City's transportation system;
John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6807-01, Public Sidewalk Curb Ramp Program – Year 2001 Intersections Pkg. III as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

19. **IMPROVEMENT RESOLUTION #1108-02,** Backwash Recycle and Dechlorination;

Ethel Morgan, Planning & Design said that this project will do the following:
(1) change the location of the backwash recyle into the Filtration Plant
(2) perform longer backwash discharging into the river

Denise Porter-Ross moved approval of Improvement Resolution #1108-02, Backwash Recycle and Declorination. Motion carried. Copy to be herein incorporated. Bids to be received on February 6, 2002.

20. Approval of Change Order #2 received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement increasing the contract price by $34,840.00. The original contract price was $156,384.08. The new contract price including this change order is $201,124.08;

Ron Sheppard, Engineering Support Services, said that stone backfill was required because the soil on site was not in compliance with right-of-way specifications for work within the public right-of-way.
Denise Porter-Ross moved approval of Change Order #2 received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement increasing the contract price by $34,840.00. Motion carried. Contract price to be increased.

21. Approval of Change Order #1 and FINAL received from Robbco, Inc. for Contract #01-02, Restoration of Water Maintenance Utility Cuts increasing the contract amount by $53,652.11. The original contract price was $251,753.14. The new contract price including this change order is $305,405.25;

Bill Simmons, Water Resources, stated that additional parkstrip and easement cuts were restored by the contractor that were originally planned to be restored by the Street Department.
John Suarez moved approval of Change Order #1 and FINAL received from Robbco, Inc. for Contract #01-02, Restoration of Water Maintenance Utility Cuts increasing the contract amount by $53,652.11. Motion carried. Contract price to be increased.

22. Approval of recommendation received from Water Resources to accept the work performed by Robbco on Contract #01-02, Restoration of Water Utility Cuts;
Denise Porter-Ross moved to accept the work performed by Robbco on Contract #01-02, Restoration of Water Utility Cuts. Motion carried. Acceptance letter to be sent.

23. Approval of Authorization for Full Release of Escrow received from Robbco, Inc. in the amount of $8,006.46 for Contract #01-02, Restoration of Water Maintenance Utility Cuts. Ossian State Bank is the Escrow Agent;
Denise Porter-Ross moved approval of Authorization for Full Release of Escrow received from Robbco, Inc. in the amount of $8,006.46. Motion carried. Authorization for Full Release of Escrow to be sent to the Escrow Agent.

24. Approval of Sanitary Sewer Contract #2002-S-01 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Offsite – 24" main across Bass Road

Jack Suter, Development Services said that this development is located at the intersection of Bass Road and Thomas Road. Said sewer would include 105± L.F. of 24" PVC pipe.
John Suarez moved approval of Sanitary #2002-S-01 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility. Motion carried. Sanitary sewer system to be constructed

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Water Contract #2001-W-13, Waterford Section IV Water as an integral part of the City's water distribution system;
Denise Porter-Ross moved to accept the work performed by Frontier Contractors on Water Contract #2001-W-13 as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by RNR Development on Sewer Contract #2001-S-19, North Business Park Sanitary as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by RNR Development on Sewer Contract #2001-S-19 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

27. Approval of Taxi Cab Applications for Robert Franklin Miller, Jody Elvis Prince, and Assadeg Suliman. Records check indicates no violations contrary to the City Taxi Cab Ordinance;
Denise Porter-Ross moved approval of Taxi Cab Applications for Robert Franklin Miller, Jody Elvis Price, and Assedeg Suliman. Motion carried. Taxi Cab Licenses to be issued.

28. Approval of Barrett Law Claims in the amount of $12,489.34;
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $12,489.34. Motion carried. Barrett Law Claims to be sent the Barrett Law Office.

29. Approval of General Accounting Claims in the amount of $5,829,519.89;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $5,829,519.89. Motion carried. General Accounting Claims to be sent to the Department of Finance.

30. Old Business:

David Ross, City Engineer stated that he had reviewed the Bid for Real Estate located at 415 W. State Blvd. from Ty & Ky Taing and it meets all the requirements.
Denise Porter-Ross moved to accept the Bid for Real Estate located oat 415 W. State Blvd. from Ty & Ky Taing in the amount of $1,750.00. Motion carried. City Engineer to notify the Taing's of the City's acceptance.

32. New Business:

(I) Approval of **IMPROVEMENT RESOLUTION #6830-01,** Jefferson Boulevard at Freeman Street;

David Ross, City Engineer explained that this Resolution is for resetting/replacing guardrail along the southwest side; widen the intersection's southwest corner radius; stabilize the open drainage ditch bank; install an inlet, curb, curb ramp and sidewalk on the southeast corner and othe related roadway work.
John Suarez moved approval of Improvement Resolution #6830-01. Motion carried. Copy to be herein incorporated. Bids to be received on February 6, 2002.

(II) Approval of **IMPROVEMENT RESOLUTION #6826-01,** Public Sidewalk Curb Ramp Program – Year 2001 Intersections Package VI:

Mario Trevino, Director of Transportation Engineering Services said that this Resolution is for altering existing areas, elements & facilities intended for pedestrian access by removing existing curbs, sidewalks and ramps at various locations on Baxter Street, Milton Street, Gaywood Dr. & the intersection of chawick and Strathdon.
Denise Porter-Ross moved approval of Improvement Resolution #6826-01. Motion carried. Copy to be herein incorporated. Bids to be received on February 6, 2002.

(III) Approval of Amended Change Order #1 and FINAL received from Brooks Construction for Improvement Resolution #6824-01, Prospect Avenue increasing the contract amount by $4,925.49. The original contract price was $120,198.50. The new contract price including this change order is $125,123.99;

Mario Trevino, Director of Transportation Engineering Services said that this change order is due to the following:

The consultant missed two items when compiled this bid, fertilizing trees and bed course material. Bill Diedrichs from the Park Department decided four additional trees should be removed. These items caused the increase to the contract.
John Suarez moved approval of Amended Change Order #1 and FINAL received from Brooks Construction for Improvement Resolution #6824-01 increasing the contract amount by $4,925.49. Motion carried. Contract amount to be increased.

Meeting adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

January 16, 2001

Board of Public Works
Meeting held at 10:05 a.m.
Room 250 – Omni Room

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter, Development Services; Mark Gensic, Ethel Morgan, and Matthew Wirtz, Planning & Design; Dawn Ritchie, Solid Waste Department; Bill Simmons, Water Resources;

1. Approval of Board of Stormwater Management Minutes for January 9, 2002;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of January 9, 2001. Motion carried. Minutes approved.

2. Approval of Change Order #1 and FINAL received from Crosby Excavating on Improvement Resolution #641-2001, New Glenwood Park Storm Sewer Rehabilitation increasing the contract price by $1,828.25. The original contract price was $48,393.00. The new contract price including this change order is $50,221.25;

   Ron Sheppard, Engineering Support Engineering said that this Change Order is due to an addition of one item #6-inlet casting adjustment and installation of a new inlet.
   John Suarez moved approval of Change Order #1 and FINAL received from Crosby Excavating on Improvement Resolution #641-2001. Motion carried. Contract price to be increased.

3. Old Business:

   One.

4. New Business:

   None.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

CANCELLATION OF BOARD PUBLIC WORKS AND BOARD OF STORMWATER MANAGEMENT MEETING 1/23/02

The regular meeting of the Board of Public Works and Board of Stormwater Management is cancelled on 1/23/02 and rescheduled for 1/25/02 at 9:00 a.m. to be held in the Omni Room, Room 250 of the City County Building.

Carolyn S. Newport, Clerk

January 17, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter & Mary Jane Slaton, Development Services; Pat Callahan & Mark Gensic, Planning & Design; David Ross, City Engineer; Jim Riemke, Street Light Engineering; Phil Giaquinta; Customer Service; Ron Sheppard, Engineering Support Services.

1. **RECEIVE BIDS:** Improvement Resolution #6839-02, St. Martins Street: Lafayette Street to Hanna Street;

GARCIA CONCRETE	$40,421.00
HIPSKIND CONCRETE	$34,012.50
KEY CONCRETE	$33,295.00
NEWELL CONST.	$29,455.00
RICHARD NESS EXC.	$39,147.50

ENG. EST. – $36,820.45
Transportation Engineering Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6840-01, Chestnut Street: Dubois Street to Summer Street:

GARCIA CONCRETE	$32,606.00
HIPSKIND CONCRETE	$29,272.00
KEY CONCRETE	$28,468.00
NEWELL CONST.	$25,580.00
RICHARD NESS EXC.	$34,730.00

ENG. EST. - $33,796.56
Transportation Engineering Services to tabulate and report.

3. **AWARD:** Fort Wayne Police Department Operations Center Partial Remodeling to Louis Lee Lengacher, Inc. in the amount of $149,330.00;
Denise Porter-Ross moved approval of award for Fort Wayne Police Department Operations Center Partial Remodeling to Louis Lee Lengacher, Inc. in the amount of $149,330.00. Motion carried. Notice of award to be sent. Schenkel Shultz Architects/Engineers to prepare contracts.

4. Approval of Board of Public Works Minutes of January 16, 2002;
John Suarez moved approval of Board of Public Works Minutes of January 16, 2002. Motion carried. Minutes approved.

5. Approval of Agreement between the City of Fort Wayne and Rita Ann Gabriel & Associates, Inc. to provide professional services for the appraisal services for acquisition of right-of-way for W. Jefferson Blvd. Pedestrian/Bicycle Trail. Proposed services include appraisal reports for six parcels. Compensation for services performed shall be $10,800. After the project is staked, should any parcel warrant a lesser appraisal report, the compensation will be adjusted. City Engineering recommends approval;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Rita Ann Gabriel & Associates, Inc. to provide professional services for the appraisal services for acquisition of right-of-way for W. Jefferson Blvd. Pedestrian/Bicycle Trail. Motion carried. Notice to proceed to be sent.

6. **IMPROVEMENT RESOLUTION #6834-02,** Hobson Road from Lake Avenue to State Blvd.;

   David Ross, City Engineer said that this improvement is for cement concrete pavement crack/seat; bituminous pavement overly and marking; curb and driveway reconstruction; curb ramp construction; stormwater drainage rehabilitation; seeding restoration and other related work
   John Suarez moved approval of Improvement Resolution #6834-02. Motion carried. Copy to be herein incorporated. Bids to be received on February 20, 2002.

7. **IMPROVEMENT RESOLUTION #6837-02,** Dayton Ave.: Alley Reconstruction;

   Mario Trevino, Director of Transportation Engineering said that the location is the alley that runs from Dayton Ave. to South Wayne, north of Dayton and south of Nuttman Avenue between S. Wayne Ave. and Fairfield Ave. and the improvement is for reconstructing the existing alley with new cement concrete pavement.
   Denise Porter-Ross moved approval of Improvement Resolution #6837-02. Motion carried. Copy to be herein incorporated. Hearing scheduled for February 6, 2002;

8. **RESOLUTION** Concerning need for Consultant Services to Provide Surveying, Drafting, Inspection, and/or Design Services for the Transportation Engineering Services Department;

   Mario Trevino, Director of Transportation Engineering Services said that this Resolution allows his department to hire consultants on an as needed basis with an established hourly rate for services needed for various projects.
   John Suarez moved approval of Resolution Concerning need for Consultant Services to provide Surveying, Drafting, Inspection, and/or Design Services for the Transportation Engineering Services Department. Copy to be placed on file in vault.

9. Approval of Construction Contract #6809-01 between Wayne Asphalt Construction Co., Inc. and the City of Fort Wayne for Trier Road: Maplecrest to Lahmeyer Road in the amount of $413,979.06;
   Denise Porter Ross moved approval of Construction Contract #6809-01 between Wayne Asphalt Construction Co., Inc in the amount of $413,979.06. Motion carried. Contract to be sent to City Council.

10. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6746-01, West Jefferson Blvd., Ph. III, IV, & V as an integral part of the City's transportation system;
    Denise Porter-Ross moved to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6746-01. Motion carried. Acceptance letter to be sent.

11. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Widner Paving, Inc. on Improvement Resolution #6786-01, Miscellaneous Construction Package 3A-01 as an integral part of the City' transportation system;
    Denise Porter-Ross moved to accept the work performed by Widner Paving, Inc. on Improvement Resolution #6786-01. Motion carried. Acceptance letter to be sent.

12. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6788-01, Dayton Avenue Improvements as an integral part of the City's transportation system;
    Denise Porter-Ross moved to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6788-01. Motion carried. Acceptance letter to be sent.

13. Request received from John E. & Gina M. Lovell, 3635 Delray Drive for reclassification of property for assessment purposes from two lots (Lot 208 & 209) to one in connection with Improvement Resolution #266-01, New Glenwood Street Lights Phase II.

Ted Rhinehart explained that the assessment for this project is $100 per lot, and the Lovell's home sits across the second lot making it not available for building.
John Suarez moved request from John E. & Gina M. Lovell, 3635 Delray Drive for reclassification of property for assessment purposes from two lots to one in connection with Improvement Resolution #270-01. Motion carried.

14. Approval of Technical Services Agreement between the City of Fort Wayne and Kelly Advertising for Public Works/City Utilities Bill Stuffers. The not-to-exceed amount for this Agreement is $25,000.00;

Ted Rhinehart said that Kelly Advertising will improve the quality of the bill stuffers which result in feedback from citizens.
Denise Porter-Ross moved approval of Technical Services Agreement between the City of Fort Wayne and Kelly Advertising for Public Works/City Utilities Bill Stuffers. Motion carried. Copy to be placed on file in vault.

15. Approval of Amendment to the Agreement between the City of Fort Wayne and the Leo-Cedarville Regional Sewer District concerning Mallards Lake sanitary sewage collection and treatment;

Mary Jane Slaton, Development Services apprised the Board of the following:

The amount of flow from the Subdivision shall be subtracted from the amount of flow used by the City to calculate its charges to the District for providing treatment service to the District. In addition, the City shall increase the volume of flow that it will accept from the District without surcharge by 30,000 gallons per day. The District's new "Base GDP," as defined by the current Water Pollution Control Treatment Agreement between the City and the District shall be an average of 280,000 gallons per day in a 90-day period.
John Suarez moved approval of Amendment to the Agreement between the City of Fort Wayne and the Leo-Cedarville Regional Sewer District concerning Mallards Lake sanitary sewage collection and treatment. Motion carried. Copy to be placed on file in vault.

16. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and Russell Engineering Associates, Inc. for surveying and "Record Drawing" services for the Forest Avenue Area Storm Sewer Improvements Project. The not-to-exceed amount for this amendment is $9,000.00. Planning and Design Services recommend approval;

Pat Callahan, Planning & Design said that since Russell Engineering will be re-establishing surveying control for the Northside Park Project for upcoming construction bidding, the addition of surveying and "Record Drawing" services for the Forest Avenue project were considered as additional work within the immediate project area.
Denise Porter-Ross moved approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and Russell Engineering Associates, Inc. for surveying and "Record Drawing" services for the Forest Avenue Storm Sewer Improvements Project. Motion carried. Notice to proceed to be sent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Developing on Sewer Contract #2001-S-35, Coldwater Road Extension – Dr. Herber Sanitary as an integral part of the City's sanitary sewer system;
John Suarez moved to accept the work performed by Geiger Developing on Sewer Contract #2001-S-35. Motion carried. Acceptance letter to be sent.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2001-W-03, Stellhorn Road Water Main Replacement as an integral part of the City's water distribution system;

John Suarez moved to accept the work performed by Kurtz Excavating on Water Contract #2001-W-03. Motion carried. Acceptance letter to be sent.

19. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2001-W-12, Diebold Road Water Main Extension: Hawthorne Park Offsite as an integral part of the City's water distribution system;
John Suarez moved to accept the work performed by Kurtz Excavating on Water Contract #2001-W-12. Motion carried. Acceptance letter to be sent.

20. **RESOLUTION** to approve the Renewal of Taxi Permit for AAA Taxi Service until July26, 2002;
Denise Porter-Ross moved to approved the Resolution approving the renewal of Taxi Permit for AAA Taxi Service until July 26, 2002. Motion carried. Taxi Permit for AAA Taxi Service approved until July 26, 2002. Motion carried. Copy to be herein incorporated.

21. Approval of Barrett Law Claims in the amount of $26,635.85;
Denise Porter-Rossmoved approval of Barrett Law Claims in the amount of $26,635.85; Motion carried. Barrett Law Claims to be sent to the Department of Finance.

22. Approval of General Accounting Claims in the amount of $6,751,496.20;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $6,751,496.20. Motion carried. General Accounting Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

Approval of Improvement Resolution #642-02, WPCP Improvements Package No 1, Preliminary and Secondary Treatment Facilities;

Mark Gensic, Manager of Planning & Design stated that this Headworks project is the first major project of two Water Pollution Control Plant projects to meet the 85 MGD goal so that Water Pollution Control Plant projects are compatible with the City's Combined Seer Overflow Long Term Control Plan and Facilities Improvement Plan.
John Suarez moved approval of Improvement Resolution #642-01. Motion carried. Copy to be herein incorporated. Bids to be received on 2/13/02.

Approval of Construction Contract #1102-01 between Maddox Industrial Contractors, Inc. and the City of Fort Wayne for Filter 15 Rehabilitation in the amount of $184,900.00. **PRIOR APPROVAL REQUESTED;**
Denise Porter-Ross moved approval of Construction Contract #1002-01 between Maddox Industrial Contractors, Inc. and the City of Fort Wayne in the amount of $184,900.00. Motion carried. Contract to be sent to City Council.

Approval of Construction Contract #1105-01 between A. Hattersley & Sons, Inc. and the City of Fort Wayne for Installation of On-Line Process Monitoring Equipment in the amount of $270,000.00. **PRIOR APPROVAL REQUESTED;**
John Suarez moved approval of Construction Contract #1105-01 between A. Hattersley & Sons, Inc. and the City of Fort Wayne in the amount of $270,000.00. Motion carried. Contract to be sent to City Council.

Escrow Agreement between the City of Fort Wayne and A. Hattersley & Sons, Inc. for Improvement Resolution #1105-01, Installation of On-Line Process Monitoring Equipment. Wells Fargo Bank Indiana, N.A. is the Escrow Agent;
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and A. Hattersley & Sons, Inc. for Improvement Resolution #1105-01. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

Approval of Agreement for Professional Services with Competitive Government Strategies, LLC for Six Sigma and Plant Incentives Program projects. The not-to-exceed fee is $58,000.00;

Ted Rhinehart said that Competitive Government Strategies, LLC will establish procedures for evaluating the quality improvements and cost savings from Six Sigma, and establish ongoing methods of documenting and tracking those improvements.
Denise Porter-Ross moved approval of Agreement for Professional Services with Competitive Government Strategies, LLC for Six Sigma and Plant Incentives Program Projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors, Inc. on Sewer Contract #2001-S-21, Waterford Section IV as an integral part of the City's sanitary sewer system;
John Suarez moved to accept the work performed by Frontier Contractors, Inc. on Sewer Contract #2001-S-21. Motion carried. Acceptance letter to be sent.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

JANUARY 25, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:55 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter & Mary Jane Slaton, Development Services; Pat Callahan & Mark Gensic, Planning & Design; David Ross, City Engineer; Jim Riemke, Street Light Engineering; Phil Giaquinta; Customer Service; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of January 16, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of January 16, 2002. Motion carried. Minutes approved.

2. Approval of Storm Sewer Contract #2001-ST-01 between Wilds Construction and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Wilds Point Office Complex (PRIVATELY FUNDED);

   Jack Suter, Development Services said that Wilds Point Office Complex would be located on the southeast corner of Allen Avenue and Cumberland Avenue near Glenbrook. Said stormwater system consists of 234± l.f. of 12" HDPE or RCP and 2 inlets.
   Denise Porter-Ross moved approval of Storm Sewer Contract #2001-ST-01 between Wilds Construction and the Fort Wayne Stormwater Utility. Motion carried. Stormwater system to be constructed.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Crosby Excavating on Improvement Resolution #641-2001, New Glenwood Park Storm Structures Upgrade as an integral part of the City's storm drainage system;
Denise Porter-Ross moved to accept the work performed by Crosby Excavating on Improvement Resolution #641-2001. Motion carried. Acceptance letter to be sent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

JANUARY 30, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter, Development Services; Mike Thornson, Planning & Design; David Ross, City Engineer; Jim Riemke, Street Light Engineering; Ron Sheppard, Engineering Support Services. John Suarez, absent.

Ted Rhinehart acknowledged the following employees who have received five City Star Awards:

Rick Nickelson, WPC Plant; Edward Wright, Christopher Oglesby, Kevin Bauer, Steve Fausnaugh, Jeff Mullins, Mike Roush, Randy Sadler, Stan Shafer, John Taylor; Gary Wattenbarger, and Mike Williamson, all from Water Maintenance & Service; Mike Fruchey, Brian Kiess, Richard Knappenberger & Denny Root, Transportation Engineering Services.

Carolyn Newport, Board of Public Works was acknowledged for receiving 15 City Star Awards.

1. **RECEIVE BIDS:** Improvement Resolution #1097-01, Allendale, Kimberly & Deforest Water Main Replacement;

	BASE	DIP ALT.	HDPE ALT.
ALL STAR CONST.	$225,338.40	$102,920.05	$222,296.50
BERCOT, INC.	$272,644.00	$153,113.75	$ NO BID
DAFFORN EXCAVATING	$270,849.70	$138,504.50	$ NO BID
GEIGER DEVELOPING	$292,280.75	$ 75,724.10	$241,237.85
GEIGER EXCAVATING	$286,550.57	$150,169.35	$272,744.33
KREAGER BROS.	$314,530.30	$124,729.50	$ NO BID
LAND, INC.	$248,574.25	$117,284.50	$ NO BID

ENG. EST. – $280,000.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6829-02, Pontiac Street from Fairfield Avenue to Anthony Blvd.;

BENCHMARK CONST.	$283,696.00
BROOKS CONST.	$310,403.77
E & B PAVING	$310,666.71
WAYNE ASPHALT	$303,233.37

ENG. EST. - $366,970.05
City Engineering to tabulate and report.

3. **AWARD:** Contract #02-01, Restoration of Water Maintenance Utility Cuts to Widner Paving in the amount of $172,627.50;
Denise Porter-Ross moved approval of award for Contract #02-01 to Widner Paving in the amount of $172,627.50. Motion carried. Notice of award to be sent. Water Resources to prepare contracts.

4. **AWARD:** Contract #02-02, Restoration of Water Maintenance Utility Cuts to Widner Paving the amount of $241,372.50;
Denise Porter-Ross moved approval of award for Contract #02-01 to Widner Paving the amount of $241,372.50. Motion carried. Notice of award to be sent. Water Resources to prepare contracts.

5. **AWARD:** Improvement Resolution #6839-02, St. Martins Street: Lafayette Street to Hanna Street to Newell Construction Co., Inc. in the amount of $29,455.00;
Denise Porter-Ross moved approval of award for Improvement Resolution #6839-02 to Newell Construction Co., Inc. in the amount of $29,455.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. **AWARD:** Improvement Resolution #6840-02, Chestnut Street: Dubois Street to Summer Street to Newell Construction in the amount of $25,580.00;
Denise Porter-Ross moved approval of award for Improvement Resolution #6840-02 to Newell Construction in the amount of $25,580.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. Approval of Board of Public Works Minutes of January 25, 2002;
Denise Porter-Ross moved approval of Board of Public Works Minutes of January 25, 2002. Motion carried. Minutes approved.

8. Approval of **RESOLUTION** of the Board of Public Works Approving Right-of-Way Franchise to Parkview Health System, Inc. for installation of five two-inch inner-ducts and eight inch and a half innerducts underground for Parkview Hospital communications use in City right-of-way at Carew St. between East State St. and the entrance to the Lindenview Bldg. property. The Right-of-Way Use Agreement Committee recommends approval;
Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works Approving Right-of-Way Franchise to Parkview Health System, Inc. for installation of five two-inch inner-ducts and eight inch and a half innerducts underground for Parkview Hospital communications use in City right-of-way at Carew St. between East State St. and the entrance to the Lindenview Bldg. property. Motion carried. Copy to be herein incorporated. Underground ducts to be installed.

9. **IMPROVEMENT RESOLUTION #6804-01,** Jefferson Blvd., West Railroad Viaduct to St. Mary's River Bridge;

   David Ross, City Engineer apprised the Board that this Resolution is for the following improvement:

   Pavement widening; to add a center bi-directional left turn lane; wedging/leveling, resurfacing and marking; curb construction; storm sewer installation; driveway approach reconstruction; street lighting relocation/upgrade; bridge safety device (traffic impact attenuator; guardrail barrier wall) installation; landscaping and grass seeding restoration; and other related roadway work.
   Denise Porter-Ross moved approval of Improvement Resolution #6804-01. Motion carried. Copy to be herein incorporated. Bids to be received on 2/27/02.

10. **IMPROVEMENT RESOLUTION #6857-02,** Kern Valley Drive & Folsum Drive;

    Mario Trevino, Director of Transportation Engineering Services said that this Resolution is for spot repair of concrete pavement & reconstructing new ADA curb ramps.
    Denise Porter-Ross moved approval of Improvement Resolution #6857-02. Motion carried. Copy to be herein incorporated. Bids to be received on 2/20/02.

11. Approval of Change Order #1 and FINAL received from Benchmark Construction for Improvement Resolution #6745-01, Fairfield Avenue Resurfacing: Fairwick to Pettit decreasing the contract price by $3,819.41. The original contract price is $229,818.00. The new contract price including this change order is $225,998.59;

Mario Trevino, Director of Transportation Engineering Services, remarked that this change order is to adjust contract quantities to reflect improvement constructed.
Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Benchmark Construction for Improvement Resolution #6745-01, Fairfield Avenue Resurfacing: Fairwick to Pettit decreasing the contract price by $3,819.41. Motion carried. Contract price to be decreased.

12. Approval of Construction Contract #6835-02 between the City of Fort Wayne and Key Concrete for Felician Street Phase II in the amount of $98,837.00;
Denise Porter-Ross moved approval of Construction Contract #6835-02 between the City of Fort Wayne and Key Concrete for Felician Street Phase II in the amount of $98,837.00. Motion carried. Notice to proceed to be sent.

13. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. for Improvement Resolution #6806-01, Anthony Blvd. North (Lake to Vance) as an integral part of the City's transportation system;
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. for Improvement Resolution #6806-01, Anthony Blvd. North (Lake to Vance) as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

14. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for Inspection Services for the Southgate Storm System Phase 2. Compensation for this contract not to exceed $115,400.00. Engineering Support Services recommend approval;

Ron Sheppard, Engineering Support Services said that this agreement is for providing observation and testing services during the construction of Southgate Storm System Phase 2 and substantial conformance with approved plans and specifications of the Fort Wayne, Division of Utilities, Water Resources Engineering. Mr. Sheppard said that American Consulting, Inc. provided services for the first phase of this project and they are performing the same services for this agreement at the same rate.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for Inspection Services for the Southgate Storm System Phase 2. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Change Order #1 received from Land, Inc. for Improvement Resolution #1094-01, St. Joe Center Bridge Water Main Relocation decreasing the contract price by $1708.72. The original contract price was $23,725.00. The new contract price including this change order is $22,016.28;

Ron Sheppard, Engineering Support Services said that this change order is for final quantity adjustments.
Denise Porter-Ross moved approval of Change Order #1 received from Land, Inc. for Improvement Resolution #1094-01, St. Joe Center Bridge Water Main Relocation decreasing the contract price by $1708.72. Motion carried. Contract price to be decreased.

16. Review of request for deferral of area connection fees received from Dennis and Janet Morgan for all but one acre at 6217 Ferguson Road;

Jack Suter, Development Services said that this inquiry is consistent with similar requests to the Board wherein a land owner carves out a building site from a larger tract and seeks deferment of area assessment fees for the remainder of the real estate, perhaps anticipating that additional lots will be created from the base parcel. Mr. Suter said that Development Services has no objection to the request with the understanding that if additional sewage users occupy the balance of the site, applicable area connection fees be collected.
Denise Porter-Ross moved approval of request for deferral of area connection fees received from Dennis and Janet Morgan for all but one acre at 6217 Ferguson Road. Motion carried. Area connection fees to be deferred for all but one acre.

17. Review of request for deferral of area connection fees received from Hannum, Wagle, Cline for the remaining undeveloped property in association with the construction of the proposed Transportation Facility on Young Road.

Mr. Suter. Development Services said that his department has no objection to the request with the understanding that if additional sewage users occupy the balance of the site, applicable area connection fees be collected.
Denise Porter-Ross moved approval of request for deferral of area connection fees received from Hannum, Wagle, Cline for the remaining undeveloped property in association with the construction of the proposed Transportation Facility on Young Road. Motion carried. Area connection fees to be deferred.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-50, Hawthorne Park Section I, II, III & Villas Sanitary as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-50, Hawthorne Park Section I, II, III & Villas Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

19. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-46, Hawthorne Park Offsite Gravity Sewer & Lift Station as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-46, Hawthorne Park Offsite Gravity Sewer & Lift Station as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

20. Approval of General Accounting Claims in the amount of $7,335,922.34.,
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $7,335,922.34. Motion carried. General Accounting Claims to be sent to the Department of Finance.

21. Old Business:

None.

22. New Business:

Approval of acceptance of the work performed by Kurtz Excavating on Contract #2001-W-12, Diebold Water Main Extension Hawthorne Park Offsite.
Denise Porter-Ross moved to accept the work performed by Kurtz Excavating on Contract #2001-W-12. Motion carried. Acceptance letter to be sent.

Meeting adjourned at 9: 40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

JANUARY 30, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:40 AM
TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER
CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Jack Suter, Development Services; Mike Thornson, Planning & Design; David Ross, City Engineer; Jim Riemke, Street Light Engineering; Ron Sheppard, Engineering Support Services. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of January 25, 2002.
Denise Porter-Ross moved approval of Stormwater Management Minutes of January 25, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #657-2002,** Wayne Township Natural Drain #4 Improvement;

Mike Thornson, Planning & Design said that this Resolution orders the improvement of Wayne Township Natural Drain #4 from Anthony Blvd. to Decatur Road. Said improvement shall include: removal and haul-away of trees, dead trees and/or tree limbs and accumulated brush, debris, silt and sand from the ditch bottom; removal of trees with exposed roots and/or leaning trees from ditch banks; proper ditch channel re-grading, reshaping, straightening and stabilization with gabions and rip-rap; replacement of two damaged culvert pipes under Fayette Drive; and complete site restoration.
Denise Porter-Ross moved to adopt Improvement Resolution #657-2002. Motion carried. Copy to be herein incorporated.

3. Old Business:

None.

4. New Business:

IMPROVEMENT RESOLUTION #647-2002, Hickory Grove/Waycross Drive Stormwater Improvement;

Mike Thornson, Planning & Design stated that this Resolution orders the improvement of approximately 2,367 lineal feet of storm system and appurtenant structures, from the intersections of Waycross Drive and Sundale Drive, Waycross Drive and Elmdale Drive, and Waycross Drive and Homedale Drive eastward to Wayne Township Natural Drain #4.
Denise Porter-Ross moved to adopt Improvement Resolution #647-2002. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Jan. 30, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise-Porter Ross, & Carolyn S. Newport, BOPW; Richard Knappenberger, Transportation Engineering Services; Marj Enders, Barrett Law Accountant. John Suarez, absent.

1. FINAL Hearing to Confirm Improvement Resolution #6799-01, Northway Avenue: Westbrook to north terminus by resurfacing, curbs, sidewalks, and drive approaches.

Richard Knappenberger explained the scope of work and then Ted Rhinehart opened the floor for comments.

Tim Arens, Property Owner at 2337 Northway Avenue apprised the Board of the following: a lot of property owners could not attend and he stated that he had gathered comments. One comment was regarding grass quality which was planted late in the year. Right after that there were wind storms and some grass is starting to sprout, but there are a lot of patchy areas. There is a lot of settling in some areas of the ground because of dirt fill along the curb areas. There was one comment made about a light pole location relative to where the driveway is located. There was one comment made about the driveway approach in relationship to the property line and a comment about yardwalks and steps, about the transition of steps and the sidewalk level.

Dick Knappenberger apprised the Board of the following: the seeding was done in late fall and it will be reinvestigated during the spring and if it is not growing, the contractor will reseed it and take care of the low areas. Mr. Knappenberger said that as far as the street light poles, they were not moved and the driveway approaches were opened up so that people could make their radius and have better access. Regarding the street light poles, the residents should be more cautious, but if it becomes too much of a problem, Street Light Engineering will be contacted to check on the cost of relocation 3 or 4 feet from the existing drives. The wires cannot be spliced and the light be picked up and moved. Inside the pole is where the City terminates all runs. It would take a crew 3 to 6 hours to repair.

Tim Arens said that one light pole has already been hit by a car.

Mr. Arens stated that there is a drive approach that the homeowner thinks might be across their property line between lot 210 and 211.

Richard Knappenberger stated that their driveway lays right on their property line and if the City didn't put the approach out in the parkstrip, they would have no radius whatsoever to get in their driveway.

Mr. Arens stated that the drawback comes from lot 210 and that when people are entering lot 211, they are driving in 210's property.

Dick Knappenberger said that is in the parkstrip.

Mr. Arens presented a video to the Board.

Richard Knappenberger said that the plans were drawn to show the driveway right of the edge of property line, which where it was existing and because the contractor resurfaced over the existing pavement, the Contractor did go back into private property 2 to 3 feet, but the contractor put the driveway back as it was. The standards called for 12-foot drive approaches and their driveway in the back is an 8-foot concrete drive.

Mr. Arens said that he could put a barrier, but he doesn't want to do that because it was a existing problem.

Mr. Rhinehart said that the video shows that the driveway was poured larger than the plan on Lot 211 owned by Dorothy Conners which affects the drive approach in front of 210, which is owned by Kirk Decker.

Richard Knappenberger stated that he will check on this matter.

Mr. Arens showed a video for the damaged light pole which was right on the edge of the driveway on lot 213.

Ted Rhinehart said that the project would not be redesigned to change the light pole but that Street Light Engineering could work with the property owners to see if that is a project they could perform easily.

Mr. Arens stated that most of the people have noticed that the yardwalks are considerably narrower than the previous ones and they are barely wide enough for a trash can and recycling bin side by side.

Richard Knappenberger said that 3 foot yardwalks were installed which is typical. Yardwalks were installed for everyone in their driveways even though they did have them previously. Mr. Knappenberger said he did not know what they were previously.

Mr. Arens said that property owners did comment on about sidewalks being poured about ½ inch shorter and asked if they were poured the same width.

Richard Knappenberger said that the sidewalks were poured as per the plans.

Mr. Arens said that there were comments on the merge between the grade and the sidewalk steps being inconsistent within the street. Some of the first steps are not as high as the second and third.

Richard Knappenberger said that the grade of the sidewalk was raised 2 and ¼ inches and where they meet into the existing steps might be shorter. No steps were replaced.

Mr. Rhinehart said that where there are individual concerns, the City staff would be glad to meet with individuals with specific problems like a step, pole, etc.

Mr. Rhinehart said that the City's responsibility is to see if the contractor constructed the project according to City plans and specifications. Mr. Rhinehart said that the property owners should have expressed their desires for the project at the preliminary hearing.

Denise Porter-Ross moved to confirm the Assessment Roll for Improvement Resolution #6799-01 but have the property owners work with the Neighborhood Specialist in this area and other City Representatives to get these issues resolved.

Hearing adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Jan. 30, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise Porter-Ross, & Carolyn Newport, BOPW; Jim Riemke, Street Light Engineering; Marj Enders, Barrett Law Accountant. John Suarez, absent.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #267-01, Kentland Avenue Street Light Improvement & Improvement Resolution #270-01, Glenwood Park Extended Phase III Street Light Improvement. Jim Riemke is the Project Engineer.

   Betty and Dave Mullins of 4031 Kentland reported some restoration problems. Jim Riemke said that the contractor would address the problems in the spring.

   No property owners were present for Improvement Resolution #270-01.
   Denise Porter-Ross moved to Confirm the Assessment Roll for Improvement Resolution #267-01 & Improvement Resolution #270-01. Motion carried. Assessments to be sent.

Meeting adjourned at 10:25 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:30 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Director of Transportation Engineering Services; James Howard, City Law Department; Greg Meszaros, Chief of Engineering; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Matt Wirtz Judy Cleland, Ethel Morgan, Mike Thornson, & Pat Callahan, Planning & Design;

1. **RECEIVE BIDS:** Improvement Resolution #637-2002, Delray, Jonquil-Rockwood Stormwater System Improvement;

BERCOT, INC.	$148,962.00
BUNN INC.	$111,634.00
CROSBY EXCAVATING	$182,366.75
DAFFORN EXCAVATING	$189,751.82
FLEMING EXCAVATING	$153,300.04
GEIGER DEVELOPING	$151,035.00
GEIGER EXCAVATING	$148,124.00
LAND, INC.	$127,860.00

ENG. EST. – $178,608.25
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1108-02, Backwash Recycle & Dechlorination Project:

INDIANA CONST.	$121,000.00
MADDOX INDUSTRIAL	$122,800.00

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program – Year 2001 Intersections, Package VI;

GARCIA CONCRETE	$57,915.00
HIPSKIND CONCRETE	$80,639.00
KEY CONCRETE	$51,166.00

Eng. Est. - $70,627.00
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6830-01, Jefferson Blvd. West @ Freeman;

BENCHMARK CONST.	$143,800.00
BROOKS CONST.	$116,009.45
BUNN, INC.	$105,148.25
WAYNE ASPHALT	$144,434.50

Eng. Est. - $133,650.95
City Engineering to tabulate and report.

5. **RECEIVE PROPOSALS:** Removal, cleanup, and procurement of abandoned railroad tracks located south of Lawton Park from the river to North Clinton on the north side only;

LANDRAIL	$0 – (REMOVE FOR SALVAGE VALUE)
RICHARD NESS	$5,800.00

The Division of Public Works and the Parks Department to review the bids and report to the Board of Public Works.

6. **AWARD:** Improvement Resolution #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement to All Star Construction Co., Inc. in the amount of $225,338.40 for the base bid;
John Suarez moved approval of award for Improvement Resolution #1097-01, Allendale, Kimberly, and Deforest Water Main Replacement to All Star Construction Co., Inc. in the amount of $225,338.40 for the base bid. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6829-02, Pontiac Street from Fairfield Avenue to Anthony Blvd. to Benchmark Construction LLC in the amount of $284,185.50;
Denise Porter-Ross moved approval of award for Improvement Resolution #6829-02, Pontiac Street from Fairfield Avenue to Anthony Blvd. to Benchmark Construction LLC in the amount of $284,185.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. Approval of Board of Public Works Minutes of January 30, 2002;
Denise Porter-Ross moved approval of Board of Public Works Minutes of January 30, 2002. Motion carried. Board of Public Works Minutes approved.

9. Approval of Final Hearing Minutes of January 30, 2002 for Improvement Resolution #6799-01, Northbrook Avenue, Improvement Resolution #267-01, Kentland Avenue Street Light Improvement, and Improvement Resolution #270-01, Glenwood Park Extended Phase III Street Light Improvement;
Denise Porter-Ross moved approval of Final Hearing Minutes of January 30, 2002 for Improvement Resolution #6799-01, Northbrook Avenue, Improvement Resolution #267-01, Kentland Avenue Street Light Improvement, and Improvement Resolution #270-01, Glenwood Park Extended Phase III Street Light Improvement.

10. Approval of Agreement between the City of Fort Wayne and Crossroad Engineers, PC to provide professional services for the study and report of improvements to the Coldwater Road and Washington Center Road Intersection. Proposed improvements include pavement evaluation, field survey, improvement alternatives, construction cost estimates, and report. Compensation for services performed shall be a lump sum fee of $9,300.00. City Engineering recommends approval;

    David Ross, City Engineer, said that the above-mentioned projects are Redevelopment projects and would be TIF funded. Mr. Ross said that there is no clear-cut best alternative to improve the pavement conditions at the above-mentioned intersection and because of this, it was decided that a Scope Report that identifies and then analyzes the alternatives should be prepared.
    Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Crossroad Engineers, PC for professional services for the study and report of improvements to the Coldwater Road and Washington Center Road Intersection. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

11. Approval of Agreement between the City of Fort Wayne and GAI Consultants to provide professional services for the design of improvements to Fairfield Avenue: Tillman Road to Fairwick Lane. Proposed improvements include: cement concrete pavement repair/rehabilitation. Compensation for services performed shall be a lump sum fee of $19,550.00. City Engineering recommends approval;

    David Ross, City Engineer, said that this project begins approximately at Tillman Road and extends north along Fairfield Avenue to Fairwick Lane for a total project length of 3400 feet (0.65 mile).

John Suarez moved approval of Agreement between the City of Fort Wayne and GAI Consultants to provide professional services for the design of improvements to Fairfield Avenue: Tillman Road to Fairwick Lane. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

12. Approval of Agreement between the City of Fort Wayne and Mid-States Engineering, LLC to provide professional services for the design improvements to Coombs Street Railroad Viaduct. Proposed improvements include: concrete patching, concrete sealing, handrail removal/replace with new standard, existing step and driveway approach removal, new side3walk and curb construction as needed. Compensation for services performed shall be a lump sum fee of $34,310 for design and a not-to-exceed fee of $6,523 for on-call construction management and reimbursable expenses. City Engineering recommends approval;
Denise Porter-Ross moved to table approval of Agreement between the City of Fort Wayne and Mid-States Engineering, LLC to provide professional services for the design improvements to Coombs Street Railroad Viaduct in order for City Engineering to obtain additional input from Alley County and City Utilities staff. Motion carried. Agreement tabled.

13. **IMPROVEMENT RESOLUTION #6856-02,** Maple Grove Avenue: Calhoun Street to Montrose Avenue;

Mario Trevino, Director of Transportation Engineering Services, said that this Resolution is for the reconstruction of curbs, sidewalks, drive approaches and milling and resurfacing of the street. The cost for curbs, sidewalks, and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City. The cost for pavement resurfacing shall be assessed 100% on the City.
John Suarez moved approval of Improvement Resolution #6856-02, Maple Grove Avenue: Calhoun Street to Montrose Avenue. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

14. **IMPROVEMENT RESOLUTION #6858-02,** Miscellaneous Construction Package 5-A-02;

Mario Trevino, Director of Transportation Engineering Services, said that this improvement is for the west side of 4500, 4600, & 4700 blocks of S. Hanna Street with sidewalk and Drive; 4300 & 4400 blocks of S. Monroe with ADA ramps, sidewalk, drives, drainage, and curb; 400, 500, & 600 block of E. Rudisill with sidewalk and drives; and the 2500 block of South Wayne with sidewalk and drive; all areas disturbed will be mulched, seeded, and restored.
Denise Porter-Ross moved approval of Improvement Resolution #6858-02. Motion carried. Copy to be herein incorporated. Advertise Notice to Contractors on 2/8 & 2/15/02 with date to receive bids on 2/27/02.

15. Approval of recommendation to accept the work on the following projects as an integral part of the City's transportation system:

PROJECTS	CONTRACTORS
Res. #6822-01, Lincoln Village Entrance	Zimmerman Brothers
Res. #6745-01, Fairfield: Fairwick to Pettit	Benchmark Const., LLC
Res. #6730-01, Freeman & Taylor	Benchmark Const., LLC
Res. #6823-01, Urban Enterprise Assoc.	Hipskind Concrete Corp.
Res. #6732-01 & 6739-01, Woodland	Hipskind Concrete Corp.

John Suarez moved to accept the above-mentioned projects as part of the City's transportation system. Motion carried. Acceptance letters to be sent.

16. **IMPROVEMENT RESOLUTION #659-02,** Water Pollution Control Plant Aeration Control Panel Phase-Out;

Judy Cleland, Planning & Design, apprised the Board that this project includes electrical, instrumentation and control, and general construction work required to phase-out the aeration control panel.
Denise Porter-Ross moved approval of Improvement Resolution #659-02. Motion carried. Copy to be herein incorporated. Advertise 2/8 & 2/15/02 with date to receive bids on 3/6/02.

17. **IMPROVEMENT RESOLUTION #583-1998,** Forest Avenue Storm Sewer Improvements;

Pat Callahan, Planning & Design, said that this project consists of the construction of a new storm sewer ranging in size from 12-inch to 48-inch, with associated inlet and outlet control structures. The new storm sewer system will discharge to the Pleasant Avenue Storm Water Pumping Station located at Pleasant Ave. and Forest Avenue.
Denise Porter-Ross moved approval of Improvement Resolution #583-1998. Motion carried. Copy to be herein incorporated.

18. **RESOLUTION** approving annual adjustment of area connection fees for Consumer Price Index increase;

Jack Suter, Development Services stated that the adjustments are for new users and developers. The area connection fees and ERU fees for the Service areas identified below will be set from 2/l15/02 to 2/14/03/.

Spy Run Service Area	$1190.00
Junk Ditch Service Area	$1190.00
St. Joe Service Area	$1190.00
Southwest Service Area	$1517.00
St. Mary's Service Area	$1077.00
North Maumee	$3.00 per gal. and $1.09 per gallon
Infiltration/Inflow fee	$.70 per gal

Equivalent Residential Units (ERUs) fees for certain shed areas served by the St. Joe Regional Sewer Service Plan:

Shed AIX	$1126.53
Shed 1B West	$1127.46
Shed 1B East	$1124.67
Shed 1C	$1124.66
Shed 1D	$1083.11

John Suarez moved approval of Resolution approving annual adjustment of area connection fees for Consumer Price Index increase. Motion carried. Copy to be here incorporated.

19. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Water System Master Planning. This is Phase I of a two-phase process which will provide strategic planning and policy development for Water Utility long-term planning horizons. The not-to-exceed amount for this Agreement is $97,500;

Greg Meszaros, Chief of Engineering said that the purpose of Phase I is to gather information and perspectives from key engineering and planning staff, to analyze and summarize that information, then to use the information to identify and define level of effort and priorities for further analysis in Phase 2 of the Water System Master Planning effort.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Water System Master Planning. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for Independence Drive Interceptor design services. The cost of the work is a not-to-exceed fee of $15,236.05. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design, said that the above-mentioned project was originally designed as a developer project. This scope of work includes modifying the plans so they can be bid by the City, providing survey control points so the work can be laid out for constructed, and the preparation of record drawings.
John Suarez moved approval Professional Services Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for Independence Drive Interceptor design services. Motion carried. Copy to be herein incorporated. Notice to proceed to be sent.

21. Approval of Easement Appraisal/Buying Agreement between the City of Fort Wayne and Griffin Real Estate. The agreement is for the appraisal and acquisition of temporary construction easements for the Forest Avenue Area Sewer Improvements. The agreement is for $3,720.00;

Mary Jane Slaton, Development Services, stated that this agreement is for temporary construction easements for 3 properties.
Denise Porter-Ross moved approval Easement Appraisal/Buyer Agreement between the City of Fort Wayne and Griffin Real Estate. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Construction Contract #02-01 between the City of Fort Wayne and Widner Paving, Inc. for Restoration of Water Utility Cuts (Winter Cuts) in the amount of $172,627.50;
John Suarez moved approval of Construction Contract #02-01 between the City of Fort Wayne and Widner Paving, Inc. for Restoration of Water Utility Cuts (Winter Cuts) in the amount of $172,627.50. Motion carried. Contract #02-01 to be sent to City Council.

23. Approval of Construction Contract #02-02 between the City of Fort Wayne and Widner Paving, Inc. for Restoration of Water Utility Cuts (asphalt park-strip cuts from 4/1/02 through 11/30/02) in the amount of $241,372.50;
John Suarez moved approval of Construction Contract #02-02 between the City of Fort Wayne and Widner Paving, Inc. for Restoration of Water Utility Cuts (asphalt park-strip cuts from 4/1/02 through 11/30/02) in the amount of $241,372.50. Motion carried. Contract #02-01 to be sent to City Council.

24. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating on Water Contract #2001-W-28, Brookwood Airport Park as an integral part of the City's water distribution system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction & Excavating on Water Contract #2001-W-28, Brookwood Airport Park as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

25. Approval of General Accounting Claims in the amount of $4,347,015.17;
John Suarez moved approval of General Accounting Claims in the amount of $4,347,015.17. Motion carried. Claims to be sent to the Department of Finance.

27. Old Business:

None.

28. New Business:

I) Approval of Professional Services Agreement between Quandt, Inc. and the City of Fort Wayne for Plaza and South Colonial Water Main Replacement. The not-to-exceed amount for this Agreement is $23,150.00.

Matthew Wirtz, Planning & Design, stated that this improvement consists of replacement of the existing water mains (approx. 2,000 LF) located along Plaza Drive, from Capital to Colonial and along South Colonial from Capitol to Plaza.
Denise Porter-Ross moved approval of Professional Services Agreement between Quandt, Inc. and the City of Fort Wayne for Plaza and South Colonial Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

(II) Approval of recommendation received from Transportation Engineering Services for accept the work performed by Brooks Construction Co., Inc. on Special Streets in Creekwood Section I as an integral part of the City's transportation system;
John Suarez moved approval of recommendation received from Transportation Engineering Services for accept the work performed by Brooks Construction Co., Inc. on Special Streets in Creekwood Section I as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

(III) Approval of Release of Agreement between Creekwood Developers, LLC and the Fort Wayne Board of Public Works in connection with Creekwood Section I;

Ted Rhinehart, apprised the Board of the following: an Agreement was entered into December 5, 2001 between Creekwood Developers, LLC and the City. The Agreement specified that the developer may proceed to begin building construction on no more than 12 of the 54 residential lots platted and that the developer should submit any outstanding maintenance bonds, improvement bonds and other necessary paper work as required by normal Transportation or Utilities Engineering procedures, to ensure that the water, sewer, drainage, and street infrastructure area ready for acceptance by the City. Final requirements have been met and the infrastructure has been accepted allowing the Board of Public Works to release this document.
John Suarez moved approval of Release of Agreement between Creekwood Developers, LLC and the Fort Wayne Board of Public Works in connection with Creekwod Section I. Motion carried. Release of Agreement to be recorded in the Allen County Recorders Office.

(IV) Approval of City Utilities Revenue Accounts for the month of November, 2001 in the amount of $38,483.95;
John Suarez moved approval of City Utilities Revenue Accounts for the month of November, 2001 in the amount of $38,483.95. Motion carried. City Utilities Revenue Accounts to be sent to a collection agency.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

FEBRUARY 6, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 10:10 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Director of Transportation Engineering Services; James Howard, City Law Department; Greg Meszaros, Chief of Engineering; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Matt Wirtz Judy Cleland, Ethel Morgan, Mike Thornson, & Pat Callahan, Planning & Design;

1. Approval of Board of Stormwater Management Minutes of January 30, 2002;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of January 30, 2002. Motion carried. Minutes approved.

2. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Sewer Contract #2001-ST-11, Stone Creek Section III as part of the City's stormwater system;
John Suarez moved to accept the work performed by Fox Contractors on Sewer Contract #2001-ST-11. Motion carried. Acceptance letter to be sent.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Feb. 6, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Matt Gray, Trans. Eng. Services; Marj Enders, Barrett Law Clerk.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #6792-01, Lakeshores Addition, Phase II. Matt Gray is the Project Engineer.

Ernest & Janet Smith of 6922 Hiltonia Drive, stated that there is standing water at the intersection of Premier and Ardis.

Matt Gray stated that the improvement did not include any repair of storm drainage and they would have to petition for another project.
Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6792-01. Motion carried. Assessments to be sent.

Hearing adjourned at 10:25 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Feb. 6, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Richard Knappenberger, Trans. Eng. Services; Mark Enders, Barrett Law Accountant.

1. PRELIMINARY HEARING to Confirm Improvement Resolution #6837-02, Dayton Avenue Alley Reconstruction (improvement of the alley that runs from Dayton Avenue to South Wayne, north of Dayton Ave. and south of Nuttman Ave. between South Wayne Ave. & Fairfield Avenue by reconstructing the exiting alley with new cement concrete pavement).

   Richard Knappenberger, Project Engineer with Transportation Engineering Services, explained the scope of the project.

   Ted Rhinehart noted that Marshelle Schutte of 3522 Fairfield Avenue, Fort Wayne, IN 46807 wants it read into the record that she is opposed to the project due to the cost. **Denise Porter-Ross moved to confirm Improvement Resolution #6837-02. Motion carried. Remonstrance period up on Monday, Feb. 18th, 2002 at 5: p.m.**

Hearing adjourned at 1040 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

FEBRUARY 13, 2002

BOARD OF PUBLIC WORKS
ROOM 250 -- OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Director of Transportation Engineering Services; James Howard, City Law Department; Greg Meszaros, Chief of Engineering; Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Matt Wirtz Judy Cleland, Ethel Morgan, Mike Thornson, Mike Hicks, & Pat Callahan, Planning & Design; David Artman, CH2M Hill; John Perlich, Public Information; Ken Nicolet, Utilities Services Manager; Justin Bruegger, Jerry Jones, City Utilities Administration; Justin Bruegger; Administrative Assistant, Division of Public Works; Cheryl Cronin & Chris Gach, Water Pollution Control Plant.

1. **RECEIVE BIDS:** Improvement Resolution #642-2002, WPCP Improvements Package 1 – Preliminary & Secondary Treatment Facilities;

	NO. 1	NO. 2	NO. 3	NO. 4
BIDDER	**DANIS ENVIRONMENTAL INDUSTRIES, INC.**	**HAGERMAN CONSTRUCTION CO.**	**SHOOK INC.**	**WEIGAND CONSTRUCTION CO.**
CONSTRUCTION BUDGET $21,240,000.00				
BASE BID PRICE	$ 24,890,000.00	$ 20,060,000.00	$17,927,000.00	$ 18,174,000.00
ALTERNATE NO. 1 (+)	$ 30,000.00	$ 54,000.00	$ 13,000.00	$ 23,900.00
SUB-TOTAL				
ALTERNATE NO. 2 (+)	$ 25,000.00	$ 24,000.00	$ 20,000.00	$ 27,900.00
SUB-TOTAL				
ALTERNATE NO. 3 (+)	$ 240,000.00	$ 234,000.00	$ 187,000.00	$ 196,000.00
SUB-TOTAL				
ALTERNATE NO. 4 (+)	$ 189,000.00	$ 190,000.00	$ 144,000.00	$ 144,000.00
SUB-TOTAL				
ALTERNATE NO. 5 (+)	$ 186,000.00	$ 176,000.00	$ 137,000.00	$ 147,000.00
SUB-TOTAL				
ALTERNATE NO. 6 (+)	$ 186,000.00	$ 186,000.00	$ 137,000.00	$ 146,000.00
SUB-TOTAL				
ALTERNATE NO. 7 (+)	$ 170,000.00	$ 122,000.00	$ 105,000.00	$ 318,000.00
SUB-TOTAL				
ALTERNATE NO. 8 (+)	$ 98,000.00	$ 29,000.00	$ 25,000.00	$ 29,000.00
SUB-TOTAL				
ALTERNATE NO. 9 (+)	NO CHANGE	-214,000.00	$ 40,000.00	$ 76,000.00
SUB-TOTAL				
ALTERNATE NO. 10 (+)	$ 573,000.00	$ 669,000.00	$ 535,000.00	$ 586,000.00
SUB-TOTAL				
ALTERNATE NO. 11 (+/-)	-98,000.00	-186,000.00	-165,000.00	-163,000.00
SUB-TOTAL				

ALTERNATE NO. 12 (+/-)	$ 148,000.00	NO CHANGE	$ 56,000.00	$ 220,600.00
SUB-TOTAL				
ALTERNATE NO. 13 (+/-)	$ 238,000.00	NO CHANGE	$ 190,000.00	$ 353,400.00
SUB-TOTAL				
ALTERNATE NO. 14 (+/-)	$ 185,000.00	$ 172,000.00	$ 70,000.00	$ 93,765.00
SUB-TOTAL				
ALTERNATE NO. 15 (+/-)	$ 48,000.00	$ 11,200.00	$ 10,000.00	$ 25,000.00
SUB-TOTAL				

Engineering Support Services to tabulate and report.

2. **AWARD:** Improvement Resolution #1108-02, Backwash Recycle and Dechlorination at the Water Filtration Plant to Indiana Construction, Inc. in the amount of $121,000.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #1108-02 to Indiana Construction, Inc. in the amount of $121,000.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. **AWARD:** Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program to Key Concrete, Inc. in the amount of $51,166.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6826-02 to Key Concrete, Inc. in the amount of $51,166.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6830-02, Jefferson Blvd. West at Freeman to Bunn Excavating in the amount of $105,248.25. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #6830-02 to Bunn Excavating in the amount of $105,248.25. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

5. Approval of Board of Public Works Minutes of February 6, 2002;
Denise Porter-Ross moved approval of Board of Public Works Minutes of February 6, 2002. Motion carried. Board of Public Works Minutes approved.

6. Approval of Final Hearing Minutes of Feb. 6, 2002 for Improvement Resolution #6792-01, Lakeshores Addition, Phase II and Preliminary Hearing Minutes of Feb. 6, 2002 for Improvement Resolution #6837-02, Dayton Avenue Alley Reconstruction;
Denise Porter-Ross moved approval of Final Hearing Minutes of Feb. 6, 2002 for Improvement Resolution #6792-01 and Preliminary Hearing Minutes of Feb. 6, 2002 for Improvement Resolution #6837-02. Motion carried. Hearing Minutes approved.

7. Approval of Agreement between the City of Fort Wayne and A & F Engineering Co., LLC to provide professional services for the design of improvements to Indiana Avenue & Rudisill Blvd. Proposed improvements include new traffic control signal. Compensation for services performed shall be a lump sum of $9,635.00. City Engineering recommends approval;

   David Ross, City Engineer, said that the funding has not been established for this project, but when it is, the Agreement will be in place.
   John Suarez moved approval of Agreement between the City of Fort Wayne and A & F Engineering Co., LLC to provide professional services for the design of improvements to Indiana Avenue & Rudisill Blvd. Motion carried. Copy to be placed on file in vault.

8. Approval of Agreement between the City of Fort Wayne and Roy Buskirk Real Estate to provide professional services for the buying of property for improvements to Jefferson Blvd. West: Railroad Viaduct to St. Mary's River Bridge. Proposed improvements include: obtain right-of-entry/Donation Agreements; prepare deeds and other related documents. Compensation for services performed shall be a lump sum of $5,760.00. City Engineering recommends approval;

   David Ross, City Engineer, stated that this Agreement is for six parcels.
   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Roy Buskirk Real Estate to provide professional services for the buying of property for improvements to Jefferson Blvd. West: Railroad Viaduct to St. Mary's River Bridge. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the engineering assistance to advance design plans and right-of-way documents to Bid Letting for improvements to State Blvd. & Wells Street. Proposed improvement includes: intersection-widening reconstruction, upgrade signal system and other related roadway work. Compensation for service performed shall be not-to-exceed fee. City Engineering recommends approval;

   David Ross, City Engineer, stated that Bonar would provide assessment and work with both the City and the INDOT to meet all the required guidelines, standards, and deadlines to place this project on the April construction letting schedule.
   John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the engineering assistance to advance design plans and right-of-way documents to Bid Letting for improvements to State Blvd. & Wells Street. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. **IMPROVEMENT RESOLUTION #6831-01,** Spring Street: Tyler Avenue to Wells Street:

    David Ross, City Engineer, said that this is for the improvement of pavement milling, wedge/leveling, resurfacing and marking; curb, driveway approach and sidewalk reconstruction as necessary; curb ramp construction; stormwater drainage structure Rehabilitation as necessary; seeding restoration and other related roadway work.
    Denise Porter-Ross moved approval of Improvement Resolution #6831-01. Motion carried. Copy to be herein incorporated. Bids to be received on 3/6/02.

11. **IMPROVEMENT RESOLUTION #6854-02,** Sherwood Terrace, West: Hartman Road to Stratford Road;

    Mario Trevino, Director of Transportation Engineering Services said that this improvement is for reconstruction of curbs, sidewalks, drive approaches, and milling and resurfacing of the street. The City will fund the pavement resurfacing, and the cost for curbs, yardwalks and drive approaches shall be assessed 60% on the property owners and 40% upon the City.
    John Suarez moved approval of Improvement Resolution #6854-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

12. **IMPROVEMENT RESOLUTION #6860-02,** Prange Avenue: Tacoma Avenue to Beaver Avenue;

    Mario Trevino, Director of Transportation Engineering Services, said that this Resolution is for reconstruction of curbs, drive approaches, and milling and resurfacing of the Street. The cost for curbs and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City. Pavement resurfacing shall be assessed 100% on the City.
    Denise Porter-Ross moved approval of Improvement Resolution #6860-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

13. Approval of Construction Contract #6839-02, St. Martins Street: Lafayette Street to Hanna Street between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $29,455.00;
    John Suarez moved approval of Construction Contract #6829-02 between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $29,455.00. Motion carried. Notice to proceed to be sent.

14. Approval of Construction Contract #6840-02, Chestnut Street: Dubois Street to Summer Street between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $25,580.00;
John Suarez moved approval of Construction Contract #6840-02 between Newell Construction and the City of Fort Wayne in the amount of $25,580.00. Motion carried. Notice to proceed to be sent.

15. Approval of recommendation received from Transportation Engineering Services to accept the work performed on the following projects as an integral part of the City's transportation system:

- Res. #6698-00, Broadway Viaduct — Brooks Construction Co., Inc.
- Res. #6726-00, 2000 Curb Ramp Pkg. III — Hipskind Concrete Corp.
- Res. #6694-00, Rudisill -Fairfield to Calhoun — Wayne Asphalt & Const. Co. Inc.
- Res. #6685-00, Yr. 2000 Resurfacing, Pkg. VI — Wayne Asphalt & Const. Co., Inc.
- Res. #6719-00, Normandale Drive — Newell Const. Co., Inc.
- Special Streets – Wyndemere, Sec. III — Wayne Asphalt & Const. Co., Inc.

Denise Porter Ross moved to accept the above-mentioned projects as an integral part of the City's transportation system. Acceptance letters to be sent.

16. **IMPROVEMENT RESOLUTION #1099-02,** Bowser, Calhoun, & Kenwood Water Main Replacement;

Matthew Wirtz, Planning & Design, said that this project is for the construction of approximately 2,930 LF of 6" water main, 6 fire hydrants, 84 services and all appurtenances. The project also includes asphalt overly of Bowser Avenue and Kenwood Avenue.
John Suarez moved approval of Improvement Resolution #1099-02. Motion carried. Bids to be received on 3/6/02.

17. Approval of Change Order #4 received from Bowen Engineering Corporation on Improvement Resolution #581-1998, Morton Street Pump Station increasing the contract price by $36,084.00. The original contract price is $659,150.00. The new contract price including this change order is $674,256.00;

Ron Sheppard, Engineering Support Services, stated that this change order is due to the following:

Galvanized Bar Screen	$ 3,294.00
Pipe Removal in Basement	$10,446.00
Damage to the Storm Pumps	$22,344.00

Denise Porter-Ross moved approval of Change Order #4 received from Bowen Engineering Corporation on Improvement Resolution #581-1998. Motion carried. Contract price to be increased.

18. Approval of Water Contract #2002-W-01, between Steeplechase Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Offsite: Bass Road. This project is outside the City (PRIVATE/UTILITY CAPITAL);

Mary Jane Slaton, Development Services, said this development is on Bass Road West of Thomas and said water line to include 1105± l.f. of 16" ductile iron water main. Ms. Slaton said that this is a reimbursement contract.
John Suarez moved approval of Water Contract #2002-W-01 between Steeplechase Development Corp. and the Fort Wayne Water Utility. Motion carried. Water main systems to be constructed.

19. Approval of recommendation received from Engineering Support Services to accept the work performed by Land Inc. on Resolution #1091-01, St. Joe Center Bridge #400 Water Main Relocation as an integral part of the City's water distribution system;
Denise Porter-Ross moved to accept the work performed by Land, Inc. on Resolution #1091-01 as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

20. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #2001-S-55, Mallard's Lake Sanitary Sewer as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Frontier Contractors on Sewer Contract #2001-S-55 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Insituform Technologies on Improvement Resolution #623-00, North Seminole Sewer Rehabilitation as an integral part of the City's combination sewer system;
Denise Porter-Ross moved to accept the work performed by Insituform Technologies on Improvement Resolution #623-00 as part of the City's combination system. Motion carried. Acceptance letter to be sent.

22. Approval of Authorization for Release of Escrow received from Insituform Technologies on Improvement Resolution #623-00, North Seminole Sewer Rehabilitation in the amount of $14,154.66;
Denise Porter-Ross moved Authorization for Release of Escrow received from Insituform Technologies on Improvement Resolution #623-00 in the amount of $14,154.66. Motion carried. Release of Escrow to be sent to the Escrow Agent.

23. Approval of Barrett Law Claims in the amount of $115,820.04;
John Suarez moved approval of Barrett Law Claims in the amount of $115,820.04. Motion carried. Barrett Law Claims to be sent to the Barrett Law Office.

24. Approval of General Accounting Claims in the amount of $18,461,270.09;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $18,461,270.09. Motion carried. General Accounting Claims to be sent to the Department of Finance.

25. Old Business:

None.

26. New Business:

IMPROVEMENT RESOLUTION #6853-02, Miscellaneous Construction Pkg. 1-A-2002;

Mario Trevino, Director of Transportation Engineering Services, said that Resolution is to make improvements to the following locations; 220 Esmond St., 1631 Columbia Ave., 1415 Calhoun; 3327 Pontiac St., 1338 Eliza St., 1610 Lewis St., and 2012 Forest Valley Drive, common walkway for Driving Park Addition, Florida Drive to Anthony.
John Suarez moved approval of Improvement Resolution #6853-02. Motion carried. Bids to be received on 2/27/02.

Approval of recommendation received from Utilities Services Manager, Public Works to accept the proposal received from Landrail, Inc. for Removal, Cleanup, and Procurement of Abandoned Railroad Tracks located South of Lawton Park on the north side of Fourth Street from the River to North Clinton on the North Side only;

Denise Porter-Ross moved to accept the proposal received from Landrail, Inc. for Removal, Cleanup, and Procurement of Abandoned Railroad Tracks located south of Lawton Park on the north side of Fourth Street from the river to North Clinton on the north side only. Motion carried. Notice to proceed to be sent.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

~~Lin Wilson,~~ Member
Denise Porter-Ross

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

FEBRUARY 13, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:45 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Director of Transportation Engineering Services; James Howard, City Law Department; Greg Meszaros, Chief of Engineering; Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Matt Wirtz Judy Cleland, Ethel Morgan, Mike Thornson, Mike Hicks, & Pat Callahan, Planning & Design; David Artman, CH2M Hill; John Perlich, Public Information; Ken Nicolet, Utilities Services Manager; Justin Bruegger, Jerry Jones, City Utilities Administration; Justin Bruegger; Administrative Assistant, Division of Public Works; Cheryl Cronin & Chris Gach, Water Pollution Control Plant.

1. **AWARD:** Improvement Resolution #637-02, Delray, Jonquil, Rockwood Stormwater Improvements to Bunn Excavating in the amount of $111,634.00. Contract Compliance concurs with this award: **John Suarez moved approval of award for Improvement Resolution #637-02, Delray, Jonquil, Rockwood Stormwater Improvements to Bunn Excavating in the amount of $111,634.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.**

2. Approval of Board of Stormwater Management Minutes of January 30, 2002; **Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of January 30, 2002. Motion carried. Minutes approved.**

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

~~Denise Porter-Ross~~ LIN WILSON, Member

ATTEST: Carolyn S. Newport, Clerk

February 20, 2002

Board of Public Works
Meeting held at 9:00 a.m.
Room 250, Omni Room

Ted Rhinehart, Chairman
Lin Wilson, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, and Carolyn Newport, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Mark Gensic, Mike Hicks, & Pat Callahan, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Al Lichtsinn, Street Light Engineering; Mary Jane Slaton, Development Services; Jim Howard, City Law Department. John Suarez, absent.

Ted Rhinehart welcomed Lin Wilson as a new Interim Board of Public Works Member.

1. **RECEIVE BIDS:** Improvement Resolution #6834-01, Hobson Road from Lake to State;

API	$401,618.04
BENCHMARK CONST.	$385,037.00
BROOKS CONST.	$404,109.14
E & B PAVING	$413,730.76
WAYNE ASPHALT	$331,100.64

Eng. Est. - $442,518.50
City Engineering to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6857-02-Kern Valley Drive & Folsum Drive;

BROOKS CONSTRUCTION	$142,325.00
GARCIA CONCRETE CONST.	$143,997.50
HIPSKIND CONCRETE	$113,488.00
KEY CONCRETE	$153,605.00
NEWELL CONSTRUCTION	$151,921.75

Eng. Est. - $189,080.00
Transportation Engineering Services to tabulate and report.

3. **RESOLUTION** approving Vehicle & Equipment Lease Financing for 2002;

Ted Rhinehart said that this Resolution is primarily for leasing approximately one hundred vehicles for the Fort Wayne Police Department.
Lin Wilson moved approval of Resolution approving Vehicle & Equipment Lease Financing for 2002. Motion carried. Copy to be herein incorporated.

4. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the construction management/inspection of improvements to Jefferson Blvd. West, Railroad Viaduct to St. Mary's River Bridge. Proposed improvements include: pavement widening to provide a center bi-directional left-turn lane, curbs, storm sewers, driveway approaches and other related roadway work. Compensation for services performed shall be a not-to-exceed fee of $131,834.26. City Engineering recommends approval;

David Ross, City Engineer, said that because of the magnitude of the project, the City is seeking assistance for the construction management/inspection resulting in this agreement.

Lin Wilson moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional Services for the construction management/inspection of improvements to Jefferson Blvd. West, Railroad Viaduct to St. Mary's River Bridge. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. **IMPROVEMENT RESOLUTION #280-02,** 2002 CEDIT Neighborhood Street Light Improvement;

Al Lichtsinn, Street Light Engineering said that this project involves installing lights per petition request from residents. The project will have standard 30-foot aluminum and wood poles with aerial wiring. This is funded by the City Council Members CEDIT Funds. This districts involved are the 1st, 2nd, 4th, and 5th.
Lin Wilson moved approval of Improvement Resolution #280-02. Motion carried. Copy to be herein incorporated.

6. **IMPROVEMENT RESOLUTION #281-02,** Lima Valley Addition Street Light Improvement;

Al Lichtsinn, Street Light Engineering remarked that this project involves installing lights at intersections per annexation commitment. The project will have standard 30-foot aluminum poles with underground wiring.
Lin Wilson moved approval of Improvement Resolution #281-02. Motion carried. Copy to be herein incorporated.

7. Approval of Change Order #1 and FINAL received from Lights & Signals, Inc. for Improvement Resolution #274-01, Imperial/Swathmore Neighborhood Street Lights increasing the contract price by $49.88. The original contract price was $30,995.40. The new contract price including this change order is $31,045.28;

Al Lichtsinn, Street Light Engineering explained that the engineer under-estimated the pushing wire installation and there were unforeseen utility conflicts in easements resulting in this change order.
Lin Wilson moved approval of Change Order #1 and FINAL received from Lights & Signals, Inc. for Improvement Resolution #272-01 increasing the contract price by $49.88. Motion carried. Contract price to be increased.

8. Approval of Change Order #1 and FINAL received from Lights & Signals, Inc. for Improvement Resolution #275-01, Coldwater Road Street Lights increasing the contract price by $169.35. The original contract price was $17,936.25. The new contract price including this change order is $18,105.60;

Al Lichtsinn, Street Light Engineering explained that the engineering under-estimated the pushing wire installation resulting in this change order.
Lin Wilson moved approval of Change Order #1 and FINAL received from Lights & Signals, Inc. for Improvement Resolution #275-01. Motion carried. Contract price to be increased.

9. **IMPROVEMENT RESOLUTION #6846-02,** Miscellaneous Construction Package 3-A-02;

Mario Trevino, Transportation Engineering Services, said that this improvement is for Franklin Ave. from Margaret Ave. to Greenwood Avenue by reconstruction of concrete curbs, sidewalks, drive approaches, yardwalks, new ADA curbramps, asphalt street resurfacing and mulched seeding restoration; Archer Avenue: from Jessie Avenue to Poinsette Dr. by reconstruction of concrete curbs, walks, drive approaches, yardwalks, and mulched seeding restoration; Poinsette Ave.: from Cherokee Ave. to Archer Ave. by reconstruction of curbs, drive approaches, yardwalks, and mulched seeding restoration (west side only); Lima Valley Dr. @ Northbury Dr. by reconstruction of concrete pavement at the southwest corner of intersection, and reconstruction of new ADA curb ramp and mulched seeding restoration.
Lin Wilson moved approval of Improvement Resolution #6846-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/6/02.

10. **IMPROVEMENT RESOLUTION #6847-02,** Miscellaneous Construction Package 3-B-02;

Mario Trevino, Transportation Engineering Services, said that this is for the improvement of 6116-6119 Ridgemont Drive and 913 Elnora Drive by reconstruction of new concrete sidewalk; 3131 Addison Avenue by reconstruction of concrete sidewalk and drive approach; 2308 Klug Drive by reconstruction of concrete curb and drive approach; St. Joe Center Road, 150 ±/ East of Clinton St. by reconstruction of concrete pavement and curb; 2655 Ethel Avenue by reconstruction of concrete sidewalk and drive approach.

Lin Wilson moved approval of Improvement Resolution #6847-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/6/02.

11. **IMPROVEMENT RESOLUTION #6859-02,** Packard Avenue: South Wayne to Indiana;

Mario Trevino, Transportation Engineering Services, said that this improvement is for ADA ramps, concrete sidewalk (south side only), curb (both sides), resurfacing, surface milling, mulched seeding and restoration. Mr. Trevino said that the cost for ADA ramps, curbs, and sidewalks shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City and the cost for pavement reconstruction shall be assessed 100% upon said City.

Lin Wilson moved approval of Improvement Resolution #6859-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

12. **IMPROVEMENT RESOLUTION #6787-01,** Evard Road & St. Joe Road Intersection;

David Ross, City Engineer, said that this improvement includes pavement widening for auxiliary turn lanes, surfacing milling, resurfacing, new traffic signal installation, curb removal, new curb and gutter, pavement marking; guardrail replacement, seeding restoration and other related work.

Lin Wilson moved approval of Improvement Resolution #6787-01. Motion carried. Copy to be herein incorporated. Bids to be received on 3/13/02.

13. Approval of Change Order #3 and FINAL received from Primco, Inc. for Improvement Resolution #6692-00, Centennial Industrial Park decreasing the contract price by $4,999.07. The original contract price was $1,234,787.97. The new contract price including this change order is $1,314,549.19;

David Ross, City Engineer, said that the bituminous mixture for approaches was under run by 44.57% resulting in this increase.

Lin Wilson moved approval of Change Order #3 and FINAL received from Primco, Inc. for Improvement Resolution #6692-00 decreasing the contract price by $4,999.07. Motion carried. Contract price to be decreased.

14. Approval of Change Order #1 and FINAL received from E & B Paving for Improvement Resolution #6821-01, Belle Avenue Reconstruction increasing the contract price by $1,954.14. The original contract price was $46,636.00. The new contract price including this change order is $48,590.14;

Mario Trevino, Transportation Engineering Services, said that because of the high volume of rain during October, it was necessary to under cut subgrade and use additional stone to complete project in a timely manner. Also, it was necessary to replace two sections of existing retaining wall which crumbled when sidewalk was removed.

Lin Wilson moved approval of Change Order #1 and FINAL received from E & B Paving for Improvement Resolution #6821-01 increasing the contract price by $1,954.14. Motion carried. Contract price to be increased.

15. Approval of Construction Contract between Louis Lee Lengacher, Inc. and the City of Fort Wayne for Renovations to the lobby at the Fort Wayne Police Station for the City of Fort Wayne in the amount of $149,330.00;

Lin Wilson moved approval of Construction Contract between Louis Lee Lengacher, Inc. and the City of Fort Wayne for Renovations to the lobby at the Fort Wayne Police Station for the City of Fort Wayne in the amount of $149,330.00. Motion carried. Contract to be sent to City Council.

16. Approval of Construction Contract #6829-01 between Benchmark Construction Co., LLC and the City of Fort Wayne for Pontiac Street: Fairfield Avenue to Anthony Blvd. in the amount of $284,185.50;
Lin Wilson moved approval of Construction Contract #6829-01 between Benchmark Construction Co., LLC and the City of Fort Wayne in the amount of $284,185.50. Motion carried. Contract to be sent to City Council.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed on the following projects;

Res. #6715-00, SNCIP Northside/East Central Nei. Sidewalk Repairs – Hipskind Concrete Corp.
Res. #6744-01, Main Street – Brooks Const. Co., Inc.
Res. #6798-01, Bluffton Road – Key Concrete, Inc.
Res. #6800-01, Avalon Pl. Civic. Assoc. Ph. IV - Hipskind Concrete, Inc.
Special Streets – Springfield Sec. III – Wayne Asphalt & Const. Co., Inc.
Lin Wilson moved to accept the work performed by the above-mentioned contractors for the above-mentioned projects. Motion carried. Acceptance letters to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Beam, Longest & Neff, L.L.C. for Old Mill: Fairfax to Pettit Water Main Replacement. The not-to-exceed amount for this Agreement is $37,740.00. Planning & Design Services recommend approval;

Matt Wirtz, Planning & Design, said that this project also includes a small cul-de-sac at Century Court. Mr. Wirtz said that the improvement consists of replacement of 2,400 l.f. of water main.
Lin Wilson moved approval of Professional Services Agreement between the City of fort Wayne and Beam, Longest & Neff, L.L.C. for Old Mill: Fairfax to Pettit Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of proposal received from Griffin Real Estate to provide property appraisal and acquisition for three parcels for the North Maumee East Interceptor Sewer project. The cost of the agreement is $3,915.00;
Lin Wilson moved approval of proposal received from Griffin Real Estate to provide property appraisal and acquisition for three parcels for the North Maumee East Interceptor Sewer project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Notice of Water Main Extension in connection with Improvement Resolution #1084-01, North Washington Road East of Randall Road;

Ron Sheppard, Engineering Support Services, said the Notice of Water Main Extension covers the cost of the Water Utility for an increase to an 8" water main. The cost for hookup would be $27.25 per foot and this document is in effect for 15 years.
Lin Wilson moved approval of Notice of Water Main Extension in connection with Improvement Resolution #1084-01. Motion carried. Copy to be sent to the Allen County Recorders Office.

21. Approval of On-Call Review Services Contract Extensions between Bonar Group and Fort Wayne City Utilities and DLZ Indiana and Fort Wayne City Utilities to extend the contract for on-call services for Plan Review and Permitting. Both contract extensions will be for 12 months at a not-to-exceed cost of $40,000.00;
Lin Wilson moved approval of On-Call Review Services Contract Extensions between Bonar Group and Fort Wayne City Utilities and DLZ Indiana and Fort Wayne City Utilities to extend the contract for on-call services for Plan Review and Permitting. Motion carried. Copies to be placed on file in the Board of Public Works. Notice to proceed to be sent.

22. Approval of Sanitary Sewer Contract #2002-S-03, between Woodfield Corporation and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Woodfield Section I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services, said that this 6.6 acre development is on the north side of Seiler Road. Said sewer line would include 1,175 l.f. of 12" ductile iron pipe and would serve 14 residential lots.

Lin Wilson moved approval of Sanitary Sewer Contract #2002-S-03 between Woodfield Corporation and the Fort Wayne Pollution Control Utility. Motion carried. Sanitary sewer to be constructed.

23. Approval of recommendation received to accept the work performed by Fox Contractors on Water Contract #2001-W-25, Saddlebrook Section I and Water Contract #2001-W-29, Saddlebrook Section I – Offsite Water as an integral part of the City's water distribution system;
Lin Wilson moved to accept the work performed by Fox Contractors on Water Contract #2001-W-25 and #2001-W-29 as an integral part of the City's water distribution system. Motion carried. Acceptance letters to be sent.

24. Approval of **RESOLUTION** approving Taxi Company Permit for Deluxe Taxi for the year 2002;
Lin Wilson moved approval of Resolution approving Taxi Company Permit for Deluxe Taxi for the year 2002. Motion carried. License to be issued.

25. Approval of General Accounting Claims in the amount of $3,240,638.77.
Lin Wilson moved approval of General Accounting Claims in the amount of $3,240,638.77. Motion carried. Claims to be sent to the Department of Finance.

26. Old Business:

Mario Trevino, Transportation Engineering Services, said that the City is proceeding with the Azalea Drive Project as designed and that bids would be received on Feb. 27, 2002.

27. New Business:

IMPROVEMENT RESOLUTION #6864-02, S. Wayne Avenue to Indiana between Packard Avenue & Kinsmoor Avenue (Alley Reconstruction);

Mario Trevino, Transportation Engineering Services, said that this improvement is for the alley located between S. Wayne Avenue, Indiana Avenue, Packard Avenue & Kinsmoor Avenue by removal of the existing poor condition brick alley and replacing with concrete. Mr. Trevino said the cost for alley construction shall be assessed 75% on the real estate abutting on said improvements and 25% upon the City and the cost for the alley approach reconstruction shall be assessed 100% upon the City.
Lin Wilson moved approval of Improvement Resolution #6864-02. Motion carried. Copy to be herein incorporated.

Approval of Professional Services Agreement between Triad Engineering Corp. and the City of Fort Wayne for the design of Burns Boulevard: Fairfield to Calhoun – Water Main Replacement. The not-to-exceed amount for this agreement is $29,712.00. Planning & Design Services recommend approval;

Matt Wirtz, Planning & Design, said that this project consists of replacement of approximately 1,700 l.f. of water main.
Lin Wilson moved approval of Professional Services Agreement between Triad Engineering Corp. and the City of Fort Wayne for the design of Burns Blvd.: Fairfield to Calhoun Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of Professional Services Agreement between Triad Engineering Corp. and the City of Fort Wayne for the design of Glenhurst, Merivale, Rolston, & Springfield Water Main Replacement. The not to exceed amount for this agreement is $43,498.00. Planning & Design Services recommend approval;

Matt Wirtz, Planning & Design, said that this project is for the replacement of approximately 3,000 l.f. of water main.

Lin Wilson moved approval of Professional Services Agreement between Triad Engineering Corp. and the City of Fort Wayne for the design of Glenhurst, Merivale, Rolston, & Springfield Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of Taxi Cab Application for Michael Cole, Tracy Allen Enyeart, and William Martin and Taxi Cab Renewal for Keith E. Bumgardner. Record checks indicate no violation contrary to the City's taxi cab ordinance;

Lin Wilson moved approval of Taxi Cab Applications for Michael Cole, Tracy Allen Enyeart, and William Martin and Taxi Cab Renewal for Keith E. Bumgardner. Motion carried. Licenses to be issued.

Mike Hicks, Planning & Design, presented a Standard Utility Agreement between the State and the City of Fort Wayne. The Agreement covers reimbursement for the relocation of facilities to accommodate the construction of the project on US 33 from US 30 to Cook Road.

Lin Wilson moved to approve for Ted Rhinehart to sign the above-mentioned agreement on behalf of the City of Fort Wayne. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

Feb. 20, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, Carolyn Newport, BOPW; Marj Enders, Barrett Law Accountant, Nancy Townsend, Keith Hood, & Pat Callahan, Planning & Design. John Suarez, absent.

1. Preliminary Hearing to Confirm Improvement Resolution #645-2002, East Shore Drive Sanitary Sewer Extension. Nancy Townsend is the Project Engineer.

   Nancy Townsend explained the scope of the work and Marj Enders explained the Barrett Law process.
   Lin Wilson moved to proceed with the plans and specifications for Improvement Resolution #645-2002. Motion carried. Project to proceed.

Hearing adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

Feb. 20, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, Carolyn Newport, BOPW; Marj Enders, Barrett Law Accountant, Mark Wilson, Trans. Eng. Services. John Suarez, absent.

1. Preliminary Hearing to Confirm Improvement Resolution #6856-02, Maple Grove Ave.: Calhoun St. to Montrose Ave. & Calumet to Lafayette St.

   Mark Wilson explained the scope of the work and Marj Enders explained the Barrett Law process.
   Lin Wilson moved to confirm Improvement Resolution #6856-2002. Motion carried. Remonstrance period up on March 4, 2002 at 5:00 p.m.

Hearing adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services; Jack Suter, Development Services; Mark Gensic, Paul Powers & Pat Callahan, Planning & Design; Jim Riemke & Al Lichtsinn, Street Light Engineering; Jim Howard, City Law Department; Dawn Ritchie, Solid Waste Department; Carl Wilson, Contract Compliance.

Ted Rhinehart and Board Members congratulated the following for City Star Award Recognition:

5 City Star Award Level

Michel Sejean, Addie Piatt, Sylvia Guzman, Tamara Person; Michele Shimkus, Kathy Gardiner, Kevin Holle, Patrick Korst, Pat Callahan.

50 City Star Award Level

Elenore Petroff

1. **RECEIVE BIDS:** Improvement Resolution #273-01, 300-400 Arcadia Court & 400 Englewood Court Street Light Improvement;

ROBT. HENRY CORP.	$18,282.00
LIGHTS & SIGNALS	$19,602.50
Eng. Est.	$29,550.50

Street Light Engineering to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6804-01, Jefferson Blvd. from Catalpa to Bridge over St. Mary's River;

BROOKS CONST.	$1,276,716.77
E & B PAVING	$1,314,747.00
WAYNE ASPHALT	$1,314,197.83
Eng. Est.	$1,994,765.00

City Engineering to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6838-02, Azalea Drive: Bethany Lane to Bayberry Drive:

GARCIA CONCRETE	$149,428.00
HIPSKIND CONCRETE	$130,917.60
KEY CONCRETE, INC.	$139,261.00
NEWELL CONST.	$124,197.20
PRIMCO	$139,259.32
Eng. Est.	$141,856.25

Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6853-02, Misc. Const. Pkg. 1-A-02;

GARCIA CONCRETE	$68,705.50
HIPSKIND CONCRETE	$67,992.90
KEY CONCRETE	$58,257.00
Eng. Est.	$64,514.00

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6858-02, Misc. Const. Pkg. 5-A-02;

GARCIA CONCRETE	$84,019.00
HIPSKIND CONCRETE	$85,259.00
KEY CONCRETE	$75,523.00
NEWELL CONST.	$81,601.00
Eng. Est.	$854,707.00

Transportation Engineering Services to tabulate and report.

6. **RECEIVE BIDS:** Vehicle & Equipment Lease Financing 5-Year Lease with option to purchase for various vehicles and items of capital equipment for use by the City of Fort Wayne;

Bids were received from the following:

City Securities Corp.
Key Bank National Assoc.
Banc One Leasing
GE Capital Public Finance
PB Municipal Funding
Wells Fargo Brokerage
Bank of America
Fifth Third Bank

City Controllers to evaluate the bids and make a recommendation at a later date.

7. **AWARD:** Improvement Resolution #6834-01, Hobson Road from Lake to State to Wayne Asphalt & Const. in the amount of $331,100.64. Contract Compliance concurs with this award;
John Suarez moved approval of Award for Improvement Resolution #6834-01 to Wayne Asphalt & Const. in the amount of $331,100.64. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

8. **AWARD:** Improvement Resolution #6857-02, Kern Valley Drive & Folsum Drive to Hipskind Concrete Corp. in the amount of $113,488.00;
Lin Wilson moved approval of Award for Improvement Resolution #6857-02 to Hipskind Concrete Corp. in the amount of $113,488.00. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

9. Approval of Board of Public Works Minutes of February 13 and February 20, 2002;
John Suarez moved approval of Board of Public Works Minutes of February 13, 2002 and Lin Wilson moved approval of February 20, 2002. Minutes approved.

10. Approval of Preliminary Hearing Minutes of February 20, 2002 for Improvement Resolution #645-02, East Shore Drive Sanitary Sewer Extension and Improvement Resolution #6856-02, Maple Grove Avenue; Calhoun St. to Montrose Ave. & Calumet to Lafayette St.;
Lin Wilson moved approval of Preliminary Hearing Minutes of February 20, 2002 for Improvement Resolution #645-02, East Shore Drive Sanitary Sewer Extension and Improvement Resolution #6856-02, Maple Grove Avenue; Calhoun St. to Montrose Ave. & Calumet to Lafayette St. Motion carried. Hearing Minutes approved.

11. **IMPROVEMENT RESOLUTION #6841-02,** Blackhawk Addition – Misc. Concrete Repairs;

David Ross, City Engineer said that the cost for walks and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City for this project. Property owners waived their right to a public hearing.
John Suarez moved approval of Improvement Resolution #6841-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/13/02.

12. **IMPROVEMENT RESOLUTION #6845-02,** Sherborne Blvd. Ph. II: Hastings Rd. to Vance Avenue;

David Ross, City Engineer said that this project is for construction of new water main, new curb, subsurface drain, new drive approaches, new ADA ramps, new stone & asphalt street. The cost for curbs and driveway approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City for this project. The cost for water main, subsurface drain, ADA ramps and pavement reconstruction shall be assessed 100% on said City.
Lin Wilson moved approval of Improvement Resolution #6845-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

13. **IMPROVEMENT RESOLUTION #6849-02,** Riverside Avenue: Spy Run to Griswold;

David Ross, City Engineer said that this project is for reconstruction of concrete sidewalks, drive approaches, alley approaches, ADA curb ramps, rehabilitation of storm sewers and mulched seeding restoration.
John Suarez moved approval of Improvement Resolution #6829-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/13/02.

14. **IMPROVEMENT RESOLUTION #6850-02,** Wohoma Drive: Maplewood to Hopewell;

David Ross, City Engineer remarked that this project is for sidewalks, drive approach improvements, ADA ramps, mulch seeding and restoration. The cost for walks and driveway approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City for this project. The cost for water main, subsurface drain, ADA ramps and pavement reconstruction shall be assessed 100% on said City.
Lin Wilson moved approval of Improvement Resolution #6850-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

15. **IMPROVEMENT RESOLUTION #6855-02,** Curb Ramp Pkg. 4-2002;

David Ross, City Engineer said that bids for this project would be received on 3/20/02 and it is for ADA curb ramps, concrete sidewalks, seed and mulch restoration.
Lin Wilson moved approval of Improvement Resolution #6855-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

16. **IMPROVEMENT RESOLUTION #6862-02,** Miscellaneous Const. Pkg. 4-A-02;

David Ross, City Engineer said that bids on this project would be received on 3/20/02 and the project is for curbs, sidewalks, and affected drive approaches.
John Suarez moved approval of Improvement Resolution #6862-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/13/02.

17. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6820-01, Misc. Const. Pkg. 6-A-01 increasing the contract price by $11.13. The original contract price was $34,420.00. The new contract price including this change order is $34,431.13;
Lin Wilson moved approval of Change Order #1 and FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6820-01. Motion carried. Contract price to be increased.

18. Approval of Construction Contract for Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program 2001- Pkg. VI between Key Concrete Inc. and the City of Fort Wayne in the amount of $51,166.00;
John Suarez moved approval of Construction Contract for Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program 2001- Pkg. VI between Key Concrete Inc. and the City of Fort Wayne in the amount of $51,166.00. Motion carried. Notice to proceed to be sent.

19. Approval of Change Order #1 and FINAL received from Lights & Signals for Improvement Resolution #267-00, Kentland Avenue Street Light Improvement decreasing the contract price by $102.80. The original contract price was $5,267.50. The new contract price including this change order is $5,164.70;
John Suarez moved approval of Change Order #1 and FINAL received from Lights & Signals for Improvement Resolution #267-00 decreasing the contract price by $102.80. Motion carried. Contract to be decreased.

20. Approval of recommendation received from Street Light Engineering to accept the work performed by Lights & Signals on Improvement Resolution #267-00, Kentland Avenue Street Light Improvement as an integral part of the City's street lighting system;
Lin Wilson moved to accept the work performed by Lights & Signals on Improvement Resolution #267-00 as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc., for updating the City's Interceptor Sewer Model. The cost of the work is a not-to-exceed sum of $66,128.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that the scope of this project calls for Malcolm Pirnie to add newly constructed interceptors, recalibrate the model based on recently acquired flow data, analyze potential capacity in the North Maumee Interceptor, develop a short term flow monitoring program for 2002, and developing predictive CSO activity curves for overflow reporting.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for updating the City's Interceptor Sewer Model. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between D. A. Brown Engineering Consultants, Inc. and the City of Fort Wayne for water and sewer master planning services in Cells 18 and 20 Planning Areas. The not-to-exceed amount for this contract is $15,000.00. Planning & Design Services recommend approval;

Paul Powers, Planning & Design remarked that the study area is generally bounded by Bass Road, Leesburg Road and O'Day Road. Ongoing development in this area has defined a need to develop a water and sewer master plan to best serve the area. The Consultant will develop a Water & Sewer Master Plan for the Cell 18 & 20 Planning Area (within the Flaugh Ditch watershed and west of the Neuhaus Interceptor) to serve both developed an undeveloped areas. The Neuhaus Interceptor Sewer capacity limits will be used to define the available service area east and west of I-69.
Lin Wilson moved approval of Professional Services Agreement between D. A. Brown Engineering Consultants, Inc. and the City of Fort Wayne for water and sewer master planning services in Cells 18 and 20 Planning Areas. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Professional Services Agreement between Dixon Engineering, Inc. and the City of Fort Wayne for a feasibility study to raise or relocate the existing IMG Redwood-Chestnut Elevated Tank. The not-to-exceed amount for this contract is $7,900.00. Planning & Design Services recommend approval;

Paul Powers, Planning & Design said that this project is to evaluate the necessary modifications, including foundation, structural and repainting, to raise or relocate the operating elevation of an existing 1 MG Steel Elevated Water Storage Tank located within the City of Fort Wayne.

John Suarez moved approval of Professional Services Agreement between Dixon Engineering, Inc. and the City of Fort Wayne for a feasibility study to raise or relocate the existing IMG Redwood-Chestnut Elevated Tank. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Line Extension Agreement between Indiana Michigan Power Company doing business as American Electric Power to furnish equipment, install and maintain a secondary power service to North Maumee East Lift Station and Hawthorne Lift Station. Planning & Design Services recommend approval;

    Paul Powers said that the secondary feeds will eliminate the need for a standby generator at each facility.
    Lin Wilson moved approval of Line Extension Agreement between Indiana Michigan Power Company doing business as American Electric Power to furnish equipment, install and maintain a secondary power service to North Maumee East Lift Station and Hawthorne Lift Station. Motion carried. Agreement to be sent to City Council.

25. Approval of Construction Contract #1097-01 between All Star Construction Co., Inc. and The City of Fort Wayne for Allendale, Kimberly and Deforest Avenue Water Main Replacement in the amount of $225,338.40;
    John Suarez moved approval of Construction Contract #1097-01 between All Star Construction Co., Inc. and the City of Fort Wayne in the amount of $225,338.40. Motion carried. Contract to be sent to City Council.

26. Approval of Escrow Agreement between Lake City Bank and the City of Fort Wayne and All Star Construction Co., Inc. for Construction Contract #1097-01, Allendale, Kimberly and Deforest Avenue Water Main Replacement;
    Lin Wilson moved approval of Escrow Agreement between Lake City Bank and the City of Fort Wayne and All Star Construction Co., Inc. for Construction Contract #1097-01. Motion carried. Agreement to be sent to the Escrow Agent, Lake City Bank.

27. Approval of Taxi Cab Renewals for Jerry L. Robbins, Patricia Anne Staker, Mohinder Singh; Jerry Allen Zehendner, Kenton Lee Ganger, Michael D. Nessel, Randall Jones, John M. Anderson, Virgil Griffin, Timothy Charles Carr, Kenneth D. Bailey, Robert Slough, Jeffrey Elmer,and Perry Lee Hiner. Records check indicates no violations contrary to the City taxi cab ordinance;
    John Suarez moved approval of the above Taxi Cab Renewals for the above-mentioned taxi drivers. Motion carried. Taxi licenses to be renewed.

28. Approval of Claims in the amount of $2,064,592.57;
    Lin Wilson moved approval of Claims in the amount of $2,064,592.57. Motion carried. Claims to be sent to General Accounting.

29. Old Business:

    None.

30. New Business:

    Resolution for the 2002 CPI Increase for the City Residential Solid Waste Contracts;

    Dawn Ritchie, Solid Waste Manager, said that refuse will be collected and disposed of at a rate of $60.32 per ton and recyclables will be collected and recycled at a rate of $110.70 per ton.
    Lin Wilson moved approval of Resolution for the 2002 CPI Increase for the City Residential Solid Waste Contracts. Motion carried. Copy of Resolution to be herein incorporated.

Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the temporary right-of-way engineering of improvements to Jefferson Blvd. W. Railroad Viaduct to St. Mary's River Bridge. Proposed improvements include: deed research for parcels not previously obtained in permanent right-of-way engineering; provide descriptions and drawing for temporary right-of-way; stake right-of-way. Compensation for services performed shall be a not-to-exceed fee of $3,500.00. City Engineering recommends approval;

David Ross, City Engineer, said that temporary right-of-way is needed to construct the above-mentioned project and Transportation Engineering Services does not have enough staff to handle this work.

John Suarez moved to approve Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the temporary right-of-way engineering of improvements to Jefferson Blvd. W. Railroad Viaduct to St. Mary's River Bridge. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

RESOLUTION establishing one-acre maximum area assessment fee for single family residences and the elimination necessary of Board approval of waivers of assessment fees in those instances;

Jack Suter, Development Services apprised the Board of the following: the City's sewer systems extends into suburban areas and many residential sites exceed one acre in size. The amount of sewage discharged from a single family home is not related to the size of the real estate upon which the home is constructed. The Board has from time to time deferred the collection of area connection fees for all but one acre for single-family residential uses on sites in excess of one acre. This resolution eliminates the need for the Board to approve those deferrals. Now the property owners will complete a form to be approved by a designated representative of City Utilities named by the Board and to be recorded in the Allen County Recorder's Office. There also will need to be restricted covenant recorded by the property owner, which is to be prepared the City Law Department.

Lin Wilson moved approval of Resolution establishing one-acre maximum area assessment fee for single family residences and the elimination necessary of Board approval of waivers of assessment fees in those instances. Motion carried. Copy to be herein incorporated. The Board decided that the representative to approve those forms would be the Program Manager for Planning & Review.

Approval of Request received from Mr. Steven Dull to Bond the Assessment for Resolution #6783-01;

Ted Rhinehart explained that the previous owner of the property did not make Mr. Dull aware of the improvements and Mr. Dull had not received notification prior to the Notice of Delinquent Assessment.

John Suarez moved approval of Request received from Mr. Steven Dull to Barrett Bond the Assessment for Resolution #6783-01. Motion carried. Request approved.

Memorandum of Agreement in connection with a grant from the Indiana Department of Environmental Management and the St. Joseph River Watershed Initiative;

Ted Rhinehart explained that in an effort to expedite grant administration regarding the St. Joseph River Watershed Initiative contractual requirements, they agree to provide project oversight and implementation to fulfill the duties of administering the grant funds. The City agrees to reimburse the Initiative, in a timely manner for expenses directly related, in accordance with the City's contract with the Indiana Department of Environmental Management. The total dollar amount the City will disburse to the Initiative shall be equal to the dollar amount awarded to the City: $53,997.00.

John Suarez moved to authorize Ted Rhinehart to execute this Agreement on behalf of the City of Fort Wayne. Motion carried. Copy to be placed on file in vault.

Funding Agreement between the City of Fort Wayne, Indiana by and through its Division of Utilities, and the Allen County Soil and Water Conservation District, Allen County, Indiana.

Ted Rhinehart explained that the above-mentioned agreement is between the City of Fort Wayne and the Allen County Soil and Water Conservation District for the purposes of jointly establishing and funding a Water Resource Education Specialist. One of the main duties, but many, and essential functions of the Water Resources Education Specialist is to provide local media and the public with an understanding of how local, state and federal regulations related to water resource issues can impact water quality and communities within Allen County. The City's funding participation is this agreement is $41,275.00, which is 65% of the total amount. The City of New Haven will fund 15% and Allen County will fund 20%. The total funding amount is $63.500.00.
Lin Wilson moved approval of the Funding Agreement between the City of Fort Wayne, Indiana by and through its Division of Utilities, and the Allen County Soil and Water Conservation District, Allen County, Indiana.

Construction Contract between Indiana Construction Company and the City of Fort Wayne for Improvement Resolution #1108-02, Backwash Recycle and Dechlorination at the Water Filtration Plant in the amount of $121,000.00;
John Suarez moved approval of Construction Contract between Indiana Construction Company and the City of Fort Wayne for Improvement Resolution #1108-02, Backwash Recycle and Dechlorination at the Water Filtration Plant in the amount of $121,000.00. Motion carried. Contract to be sent to City Council.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

FEBRUARY 27, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:50 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services; Jack Suter, Development Services; Mark Gensic, Paul Powers & Pat Callahan, Planning & Design; Jim Riemke & Al Lichtsinn, Street Light Engineering; Jim Howard, City Law Department; Dawn Ritchie, Solid Waste Department; Carl Wilson, Contract Compliance.

1. Approval of Board of Stormwater Management Minutes of February 13, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of February 13, 2002. Motion carried. Minutes approved.

2. Approval of Construction Contract #637-2002, Delray, Jonquil, Rockwood Stormwater Improvements between Bunn Excavating, Inc. and the City of Fort Wayne in the amount of $111,634.00;
John Suarez moved approval of Construction Contract #637-2002, Delray, Jonquil, Rockwood Stormwater Improvements between Bunn Excavating, Inc. and the City of Fort Wayne in the amount of $111,634.00. Motion carried. Construction Contract to be sent to City Council.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction Co., Inc. on Storm Sewer Contract #2001-ST-12, Stellhorn Retirement Community as an integral part of the City's storm drainage system;
John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction Co., Inc. on Storm Sewer Contract #2001-ST-12, Stellhorn Retirement Community as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

MARCH 6, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk, David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Mark Gensic, Pat Callahan, Paul Powers, Judy Cleland, Matthew Wirtz, Planning & Design; Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Al Lichtsinn & Jim Riemke, Street Light Engineering; Kim Schieferstein, Flood Control; David Artman, CH2M Hill; Carl Wilson; John Perlich, Public Information, City Utilities/Board of Public Works, Cheryl Cronin & Chris Gach, WPC Plant.

1. **RECEIVE BIDS:** Improvement Resolution #659-02. WPCP Aeration Control Panel Phase-Out:

HOAGLAND ELECTRIC	$580,000.00
SERVICE ELECTRIC OF ALLEN CO.	$524,437.00

Eng. Est. - $535,000.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1099-02, Bowser, Calhoun, and Kenwood Water Main Replacement;

	Base	**Ductile Iron Alt.**	**HDPE Alt.**
ALL STAR CONST.	$299,795.55	$290,662.70	$259,949.60
BERCOT, INC.	$327,933.00	$359,824.00	$385,211.00
BUNN INC.	$325,301.75	$364,630.25	$356,375.50
DAFFORN EXCAVATING	$494,216.46	$408,618.67	$437,377.83
FLEMING EXCAVATING	$444,539.75	$460,836.08	$467,558.61
GEIGER DEVELOPING	$361,679.50	$374,914.30	$292,226.50

Eng. Est. - $300,000.00
Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6831-01 – Spring Street from Tyler Ave. to Wells;

ALL STAR CONST.	$467,954.00
BROOKS CONST.	$522,611.75
BUNN, INC.	$456.517.25
HIPSKIND CONCRETE	$401,198.05
WAYNE ASPHALT	$467.612.95

Eng. Est. - $609,342.50
City Engineering to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6846-02, Miscellaneous Construction Package 3-A-02;

GARCIA CONCRETE	$79,252.00
HIPSKIND CONCRETE	$71,252.00
KEY CONCRETE	$83,436.00
NEWELL CONST.	$85,378.20

Eng. Est. - $85,475.00

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6847-02, Miscellaneous Construction Package 3-B-02;

GARCIA CONCRETE	$22,845.00
HIPSKIND CONCRETE	$26,020.70
KEY CONCRETE	$29,274.00
G. E. MINEAR	$20,236.00
NEWELL CONST.	$27,808.00

Eng. Est. - $17,266.00
Transportation Engineering Services to tabulate and report.

6. Approval of Board of Public Works Minutes of February 27, 2002 and Final Hearing Minutes of February 27, 2002 for Resolution #6722-00, Centennial Industrial Park Roadway Project;
John Suarez moved approval of Board of Public Works Minutes of February 27, 2002 and Final Hearing Minutes of February 27, 2002 for Resolution #6722-00. Motion carried. Minutes approved.

7. **AWARD:** Improvement Resolution #273-01, 300-400 Arcadia Court & 400 Englewood Court to the Robert Henry Corporation in the amount of $18,283.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #273-01 to Robert Henry Corporation in the amount of $18,283.00. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

8. **AWARD:** Improvement Resolution #642-02, WPC Plant Headworks Improvements to Shook, Inc. in the amount of $18,801,000.00 for Alternate #1, 2, 3, 4, 5, 6, 7, 8, 9, 12 and 15. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #642-02 to Shook, Inc. in the amount of $18,801,000.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6804-01, Jefferson Blvd. West: Railroad Viaduct to St. Mary's River Bridge to Brooks Construction Company, Inc. in the amount of $1,276,716.77. Contract Compliance concurs with this award. **PRIOR APROVAL REQUESTED;**
Lin Wilson moved approval of award for Improvement Resolution #6804-01 to Brooks Construction Company, Inc. in the amount of $1,276,716.77. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

10. **AWARD:** Improvement Resolution #6838-02, Azalea Drive: Bethany Lane to Bayberry Drive to Newell Construction Co. in the amount of $124,197.20. Contract Compliance concurs with this award.
PRIOR APPROVAL REQUESTED;
John Suarez moved approval of Improvement Resolution #6838-02 to Newell Construction Co., Inc. in the amount of $124,197.20. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6853-02, Miscellaneous Construction Pkg. 1-A-2002 to Key Concrete, Inc. in the amount of $58,257.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of Improvement Resolution #6853-02 to Key Concrete, Inc. in the amount of $58,257.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6858-02, Miscellaneous Construction Pkg. 5-A-2002 to Key Concrete, Inc. in the amount of $75,523.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #6858-02 to Key Concrete, Inc. in the amount of $75,523.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Engineering (Resident Project Representative and Inspection) of improvements to State Blvd. and Wells Street Intersection. Proposed improvements include: new and widened pavement; concrete curbs, sidewalks, curb ramps; storm sewer, and upgrade traffic control signal. Compensation for services performed shall be a fee not-to-exceed $211,276.38 funded through the Federal Aid Assistance 80% ($169,021.10) and CEDIT ($42,255.28). City Engineering recommends approval;

David Ross, City Engineer, apprised the board of the following: 12 proposals were received for this project and they were reviewed by a selection committee. The committee felt that Bonar Group demonstrated that they were the most knowledgeable. This is a draft agreement that needs to be submitted to INDOT. The proposed fee is not-to-exceed 15% of the construction cost.
Lin Wilson moved to approve submittal of Draft Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Engineering (Resident Project Representative and Inspection) of improvements to State Blvd. and Wells Street Intersection to INDOT with a not to exceed fee of 15%. Motion carried. Draft Agreement to be submitted.

14. Approval of Agreement between the City of Fort Wayne and Mid-States Engineering, LLC to provide professional services for the design of improvements to Coombs Street Railroad Viaduct. Proposed improvements include: concrete patching, concrete sealing, handrail removal/replace with new standard, existing step and driveway approach removal, new sidewalk, and curb construction as needed. Compensation for services performed shall be a lump sum fee of $34,310.00 for design and not-to-exceed fee of $6,523.00 for on-call construction management and reimbursable expenses. City Engineering recommends approval;

David Ross, City Engineer, said that this was recently submitted to the Board but removed from the table in order to solicit participation from County Highway and City Utilities. The County Highway was interested if the roadway was going to be lowered, but declined any further participation. Mr. Ross said that City Utilities would not be impacted by this improvement.
Lin Wilson moved approval of Agreement between the City of Fort Wayne and Mid-States Engineering, LLC to provide professional services for the design of improvements to Coombs Street Railroad Viaduct. Proposed improvements include: concrete patching, concrete sealing, handrail removal/replace with new standard, existing step and driveway approach removal, new sidewalk, and curb construction as needed. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. **IMPROVEMENT RESOLUTION #6851-02,** Main Street: 600 Block North side (Sidewalks);

Mario Trevino, Transportation Engineering Services, said that this improvement is for sidewalks on the north side of the 600 block of Main St. by removal and replacement of concrete curbface walk and installation of trench drain.
Lin Wilson moved approval of Improvement Resolution #6851-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/20/02.

16. **IMPROVEMENT RESOLUTION #6852-02,** Resurfacing Package 3-2002;

Mario Trevino, Transportation Engineering Services, said that this improvement is for milling and/or resurfacing 8.46 miles of roadway in Council Districts 2 and 3.
Lin Wilson moved approval of Improvement Resolution #6852-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/27/02.

17. **IMPROVEMENT RESOLUTION #6868-02,** Resurfacing Package 2-2002;

Mario Trevino, Transportation Engineering Services, said that this improvement is for milling and/or resurfacing 11.6 miles of roadway in Council Districts 1 and 5.

John Suarez moved approval of Improvement Resolution #6868-02. Motion carried. Copy to be herein incorporated. Bids to be received on 3/27/02.

18. Approval of Change Order #2 (FINAL) received from Bunn Excavating for Improvement Resolution #6749-01, Old Mill Road increasing the contract price by $63,589.31. The original contract price was $407,844.83. The new contract price including this change order is $471,434.14;

    David Ross, City Engineer, apprised the Board of the following: bad soils were more extensive than expected which added more pavement reconstruction. The Consultant did not estimate the pavement quantities high enough and more surface material was added.
    Lin Wilson moved approval of Change Order #2 (FINAL) received from Bunn Excavating for Improvement Resolution #6749-01 increasing the contract price by $63,589.31. Motion carried. Contract price to be increased.

19. Approval of recommendation received from Transportation Engineering Services to accept the following projects as an integral part of the City's transportation system;

Resolution #6712-00, Lindenwood Avenue to Spring	Bunn, Inc.
Resolution #6728-00, Crescent Avenue	Bunn, Inc.
Baer Field Industrial Park, Sec. III Special Streets	Brooks Const. Co., Inc

    John Suarez moved to accept the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

20. Approval of recommendation received from Street Light Engineering to accept the work performed by Robert Henry Corporation on Improvement Resolution #270-01, Glenwood Park Extended Phase III as an integral part of the City's street lighting system;
    Lin Wilson moved to accept the work performed by Robert Henry Corporation on Improvement Resolution #270-01 as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

21. Approval of Professional Services Agreement between Fasick & Associates, Inc. and the City of Fort Wayne for Program Management for the Three Rivers Water Filtration Plant and Water Pollution Control Plant Capital Programs. The total fee for these services is $226,640.00. Planning & Design Services recommend approval;

    Mark Gensic, Planning & Design, said that the purpose of the this project is to provide engineering and management services for the City's Three Rivers Water Filtration Plant and the City's Water Pollution Control Plant Capital Projects and Programs under the
    Lin Wilson moved approval of Professional Services Agreement between Fasick & Associates, Inc. and the City of Fort Wayne for Program Management for the Three Rivers Water Filtration Plant and Water Pollution Control Plant Capital Programs. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between R. W. Armstrong Engineers and the City of Fort Wayne for water and sewer master planning services in Cell 19 Planning area. The not-to-exceed amount for this contract is $37,000.00. Planning & Design Services recommend approval;

    Paul Powers, Planning & Design stated that the Cell 19 area is generally bounded by US 33, I-69, Leesburg Road and O'Day Road and the ongoing development is this area has defined a need to develop a water and sewer master plan to best serve the area.
    John Suarez moved approval of Professional Services Agreement between R. W. Armstrong Engineers and the City of Fort Wayne for water and sewer master planning services in Cell 19 Planning area. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Amendment #1 to Professional Services Contract for Camp Scott between the City of Fort Wayne and Bonar Group. The cost of the work is a not-to-exceed sum of $86,200.00. Planning & Design Services recommend approval;

Pat Callahan apprised the Board of the following; the Camp Scott project will reduce the hydraulic load on the Rudisill Combined Sewer by collecting stormwater from an area west of McMillen Park, detaining the stormwater along the northern edge of McMillen Park, pumping the stormwater to an engineered wetland on the site of the former Cam Scott, and pumping the wetland treated water back to McMillen Park where it will be reused in water features and golf hazards. The water can then be used as irrigation for the golf course.
Lin Wilson moved approval of Amendment #1 to Professional Services Contract for Camp Scott between the City of Fort Wayne and Bonar Group. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Amendment #1 to the Contract for Professional Engineering Services between the City of Fort Wayne and Donohue & Associates, Inc. for One-Line Process Monitoring. The total not-to-exceed fee for this Contract Amendment is $83,541.00 resulting in a total contract fee for this project of $199,043.00. Planning & Design Services recommend approval;

    Paul Powers, Planning and Design Services, said that Donohue will perform inspection services, programming services, control strategy development, and implement automation of chlorine and ammonia feeds.
    John Suarez moved approval of Amendment #1 to the Contract for Professional Engineering Services between the City of Fort Wayne and Donohue & Associates, Inc. for One-Line Process Monitoring. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Escrow Agreement between the City of Fort Wayne and Insituform Technologies, USA, Inc. for Improvement Resolution #649-01, South Cured-In-Place Sewer Rehabilitation. The Escrow Agent is Harris Bank Argo;
    Lin Wilson moved approval of Escrow Agreement between the City of Fort Wayne and Insituform Technologies, USA, Inc. for Improvement Resolution #649-01, South Cured-In-Place Sewer Rehabilitation. Motion carried. Copy to be sent to the Escrow Agent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by RNR Development on Sewer Contract #2001-S-52, Winchester Road Sanitary Sewer Extension as an integral part of the City sanitary sewer system;
    John Suarez moved to accept the work performed by RNR Development on Sewer Contract #2001-S-52. Motion carried. Acceptance letter to be sent.

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Miller Pipeline on Improvement Resolution #578-98, Pond 1 & 2 Interconnect Pipe Repair as an integral part of the City's sewer system;
    Lin Wilson moved to accept the work performed by Miller Pipeline on Improvement Resolution #578-98 as an integral part of the City's sewer system. Motion carried. Acceptance letter to be sent.

28. Approval of request received from Shawn Lewis, 219 W. Taber to bond the assessment for Improvement Resolution #6739-01, Taber: Hoagland to Harrison St. Project;
    John Suarez moved approval of request received from Shawn Lewis, 219 W. Taber to bond the assessment for Improvement Resolution #6739-01. Motion carried. Request approved.

29. Approval of General Accounting Claims in the amount of $2,947,369.66;
    John Suarez moved approval of General Accounting Claims in the amount of $2,947,369.66; Motion carried. Claims to be sent to the Department of Finance.

30. Old Business:

    None.

31. New Business:

(I) Approval of Amendment #1 to Engineering Services Agreement between the City of Fort Wayne and Donohue Associates, Inc. for Flood Control Quarterly Inspections and On-call Services executed June 2, 1999.

Ted Rhinehart stated that the Amendment extends existing terms to include four quarterly inspections of the West Segment and that under On-Call services, the level of effort is expected to increase in the areas of existing flood control facilities, design of improvements to the existing flood control facilities, or assistance with other flood control issues.
Lin Wilson moved approval of Amendment #1 to Engineering Services Agreement between the City of Fort Wayne and Donohue Associates, Inc. for Flood Control Quarterly Inspections and On-call Services executed June 2, 1999. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

(II) Approval of request from the members of NAACP, Interdenominational Ministerial Alliance, Concerned Minister's Fellowship, Pastors Uniting and True Love Missionary Baptist Church for the installation of memorial street signs at no cost as a tribute to Rev. Dr. Jesse White along Wallace Street between Lafayette Street and Creighton Avenue.
Lin Wilson moved approval of request from the members of NAACP, Interdenominational Ministerial Alliance, Concerned Minister's Fellowship, Pastors Uniting and True Love Missionary Baptist Church for the installation of memorial street signs at no cost as a tribute to Rev. Dr. Jesse White along Wallace Street between Lafayette Street and Creighton Avenue. Motion carried. Request to be sent to the Sign and Signal Division of Traffic Engineering.

(III) Approval of Taxi Cab License Renewal for Guy Hall.
Lin Wilson moved approval of Taxi Cab License Renewal for Guy Hall contingent upon a favorable record check. Motion carried. License to be renewed contingent upon a favorable record check.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: _____
Carolyn S. Newport

MARCH 6, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:50 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk, David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Law Department; Mark Gensic, Pat Callahan, Paul Powers, Judy Cleland, Matthew Wirtz, Planning & Design; Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Al Lichtsinn & Jim Riemke, Street Light Engineering; Kim Schieferstein, Flood Control; David Artman, CH2M Hill; Carl Wilson; John Perlich, Public Information, City Utilities/Board of Public Works, Cheryl Cronin & Chris Gach, WPC Plant.

1. Approval of Board of Stormwater Management Minutes of February 27, 2002;
Lin Wilson moved approval of Board of Stormwater Management Minutes of February 27, 2002. Motion carried. Minutes approved.

2. Approval of recommendation from Engineering Support Services to accept the work performed by Frontier Contractors on Storm Sewer Contract #2001-ST-08, Creekwood Offsite Storm Sewer as an integral part of the City's storm drainage system;
John Suarez moved to accept the work performed by Frontier Contractors on Storm Sewer Contract #2001-ST-08. Motion carried. Acceptance letter to be sent.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

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BOARD OF PUBLIC WORKS

March 6, 2002

City-County Building
Room 250 – Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Mark Wilson, Transportation Engineering Services, Marj Enders, Barrett Law Accountant.

1. Preliminary Hearing to confirm Improvement Resolution #6860-02, Prange Avenue: Tacoma Avenue to Beaver Avenue. Mark Wilson is the Project Engineer. Mark Wilson, Acting Project Engineer explained the scope of the project.

   Ted Rhinehart asked for questions from the floor.

   Eugene Snouffer, 4601 Beaver Avenue stated that he felt that nothing was wrong with his drive approach. Mark Wilson answered that it would be necessary to replace to match up with the curb.

   Ann Mullins, 802 Prange asked if they were redoing curbs on Collins and Mark Wilson replied that the curbs are just being installed on Prange.

   Tom Clayton, 929 Prange inquired what would happen to the yardwalk and Mark Wilson answered that it would be replaced.

   Mary Smith, 914 Prange asked why normally curbs and sidewalks and resurfacing of streets are two different projects and Mark Wilson replied by saying that in this case, the street needed to be resurfaced which is being funded by the City and curbs and walks would be at the property owners expense.

   Dan Kelterman, 1012 Prange inquired about how the project would effect this underground irrigation system. Mark Wilson replied and said that he should have them removed by a reputable irrigation contractor. Mr. Kelterman also inquired if the City is doing anything about the drainage and Mark Wilson said that this petition did not request storm drainage.

   Mary Smith complained about poor drainage at the previously installed ADA ramps at Prange and Indiana and Prange and Beaver. Mark Wilson said that he would check these corners for poor drainage.

   Marj Enders, Barrett Law Accounting explained the Barrett Law process.
   John Suarez moved to confirm Resolution #6860-02. Motion carried. REMONSTRANCE DATE TO BE UP AT 5:00 PM ON 3/18/02.

Hearing adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport

BOARD OF PUBLIC WORKS

March 6, 2002

City-County Building
Room 250 – Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

Carolyn S. Newport, Clerk

PRESENT: John Suarez, Lin Wilson, Carolyn Newport, BOPW; Mark Wilson Transportation Engineering Services; Marj Enders, Barrett Law Accountant. Ted Rhinehart, absent.

1. Preliminary Hearing to confirm Improvement Resolution #6854-02, Sherwood Terrace, West from Hartman Rd. to Stratford Road. Mark Wilson is the Project Engineer.
Mark Wilson, Acting Project Engineer explained the scope of the project.

John Suarez asked for questions from the floor.

Richard Beam, 1345 W. Sherwood Terrace inquired about getting additional sidewalk on the west side of his property. Mark Wilson informed him that he would have to sign an agreement stated that he would pay for the extra work.

E. Gerald McArdle, 4720 Crestwood Drive inquired about some additional curb. Mark Wilson said that he would check the situation and also informed him about signing an agreement regarding the payment.

Marj Enders, Barrett Law Accountant explained the Barrett Law Process.
Lin Wilson moved to confirm Improvement Resolution #6854-02. Motion carried. REMONSTRANCE DATE TO BE UP AT 5:00 PM ON 3/18/02.

Hearing adjourned at 10:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

MARCH 13, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Jim Howard, Law Department; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic, Pat Callahan & Matt Wirtz, Planning & Design; Mark Griese, EMC; Sheryl Cronin, WPCP Plant.

1. **RECEIVE BIDS:** Improvement Resolution #583-1998, Forest Avenue Area Storm Sewer Improvements;

ALL STAR CONST.	$1,198,601.50
FLEMING EXCAVATING	$1,254,993.75
GEIGER EXCAVATING	$1,377,893.50
LAND INC.	$1,459,800.00

Eng. Est. - $1,320,812.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6787-01, Evard Road and St. Joe Center Road Intersection;

API CONST.	$186,390.65
BROOKS CONST.	$184,947,65
E & B PAVING	$191,020.67
WAYNE ASPHALT	$185,407.15

Eng. Est. - $229,507.16
City Engineering to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6841-02, Blackhawk Addition Miscellaneous Concrete Repairs (Invitational Bid);

GARCIA CONCRETE	$11,150.00
HIPSKIND CONCRETE	$19,577.00
G. E. MINEAR	$13,255.00

Eng. Est. - $9,184.00
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6849-02, Riverside Avenue: Spy Run to Griswold;

GARCIA CONCRETE	$58,691.00
HIPSKIND CONCRETE	$67,397.50
KEY CONCRETE	$62,633.00
NEWELL CONST.	$54,605.00

Eng. Est. - $52,822.00
Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of March 6, 2002 and Preliminary Hearing Minutes of March 6, 2002 for Improvement Resolution #6860-02, Prange Avenue: Tacoma Avenue to Beaver and Improvement Resolution #6845-02, Sherwood Terrace West;

Lin Wilson moved approval of Board of Public Works Minutes of March 6, 2002 and Preliminary Hearing Minutes of March 6, 2002 for Improvement Resolution #6860-02, Prange Avenue: Tacoma Avenue to Beaver and Improvement Resolution #6845-02, Sherwood Terrace West. Motion carried. Minutes approved.

6. **AWARD:** Improvement Resolution #659-2002, WPCP Aeration Control Panel Phase-Out to Service Electric in the amount of $524,437.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #659-02 to Service Electric in the amount of $524,437.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. **AWARD:** Improvement Resolution #1099-02, Bowser, Calhoun and Kenwood Water Main to All Star Construction in the amount of $259,949.60 for the alternate Bid – HDPE. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #1099-02 to All Star Construction in the amount of $259,949.60. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

8. **AWARD:** Improvement Resolution #6831-01, Spring Street: Tyler Avenue to Wells Street to Hipskind Concrete in the amount of $401,198.05. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #6831-01 to Hipskind Concrete in the amount of $401,198.05. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6846-02, Miscellaneous Construction Package 3-A-02 to Hipskind Concrete in the amount of $71,942.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #6846-02 to Hipskind Concrete in the amount of $71,942.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6847-02, Miscellaneous Construction Package 3-B-02 to G. E. Minear in the amount of $20,236.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #6847-02 to G. E. Minear in the amount $20,236.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks & Recreation Department whereas the Board of Public Works agrees to allocate $10,000.00 from 1st District CEDIT Funds to be used for capital improvements at the Botanical Conservatory;
Lin Wilson moved approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks & Recreation Department whereas the Board of Public Works agrees to allocate $10,000.00 from 1st District CEDIT Funds to be used for capital improvements at the Botanical Conservatory. Motion carried. Copy to be herein incorporated.

12. Approval of Agreement between the City of Fort Wayne and CrossRoad Engineers, PC to provide professional services for the design of improvements to Coldwater Road and Washington Center Road. Proposed improvements include: asphalt overlay removal, concrete pavement rehabilitation/reconstruction, and traffic control signal hardware upgrade. Compensation for services performed shall be a lump sum fee of $36,800.00 funded through Redevelopment Department Tax Increment Financing (TIF). City Engineering recommends approval;

Mario Trevino, Transportation Engineering Services said that CrossRoad Engineers, PC would include serving as the City's professional representative for the project; providing professional engineering consultation and advise, and furnishing civil, environmental and other customary design services incidental thereto.

John Suarez moved approval of Agreement between the City of Fort Wayne and CrossRoad Engineers, PC to provide professional services for the design of improvements to Coldwater Road and Washington Center Road. Motion carried. Copy to be herein incorporated.

13. **IMPROVEMENT RESOLUTION #6848-02,** North Harrison Street: Third Street to Sixth Street;

Mario Trevino, Transportation Engineering Services explained that this improvement is for reconstruction of concrete curbs, sidewalks, drive approaches, yardwalks, new ADA curb ramps, rehabilitate storm sewer structures and mulched seeding restoration.
Lin Wilson moved approval of Improvement Resolution #6848-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/3/02.

14. **IMPROVEMENT RESOLUTION #6863-02,** Resurfacing Package 1 – 2002;

Mario Trevino, Transportation Engineering Services remarked that this project would take place in City Council Districts 4 and 6.
Lin Wilson moved approval of Improvement Resolution #6863-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/3/02.

15. **IMPROVEMENT RESOLUTION #6833-02 ,** Resurfacing Package A-2002;
Mario Trevino, Transportation Engineering Services said that this project would be in the 2nd, 4th, 5th, and 6th Council District.
Lin Wilson moved approval of Improvement Resolution #6833-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/3/02.

16. **IMPROVEMENT RESOLUTION #6870-02,** Capitol Avenue: Woodsdale Lane to Maple Grove Avenue;

Mario Trevino, Transportation Engineering Services, said that this project would be for reconstructing curb, resurfacing roadway, which includes; pavement patching, wedge/level course, bituminous surface overlay, reconstruct drive approaches, rehabilitate storm sewer structures/system, topsoil, mulched seeding restoration.
John Suarez moved approval of Improvement Resolution #6870-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/3/02.

17. **IMPROVEMENT RESOLUTION #6861-02.** Melrose Avenue: Edith Avenue to Poinsette Drive;

Mario Trevino, Transportation Engineering Services, remarked that this project would be for reconstructing the sidewalk, yardwalk, driveway, curb, resurfacing, mulch seeding and other related roadway work.
Lin Wilson moved approval of Improvement Resolution #6861-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/3/02.

18. Approval of Construction Contract #6834-02 between the City of Fort Wayne and Wayne Asphalt and Construction Company, Inc. for Hobson Road: Lake Avenue to State Blvd. in the amount of $331,100.64;
Lin Wilson moved approval of Construction Contract #6834-02 between the City of Fort Wayne and Wayne Asphalt and Construction Company, Inc. for Hobson Road: Lake Avenue to State Blvd. in the amount of $331,100.64. Motion carried. Contract to be sent to City Council.

19. Approval of Construction Contract #6857-02 between the City of Fort Wayne and Hipskind Concrete Corp. for Kern Valley Drive and Folsum Drive in the amount of $113,488.00;
Lin Wilson moved approval of Construction Contract #6857-02 between the City of Fort Wayne and Hipskind Concrete Corp. for Kern Valley Drive and Folsum Drive in the amount of $113,488.00. Motion carried. Contract to be sent to City Council.

20. Approval of Change Order #1 and Final received from Benchmark Construction LLC for Improvement Resolution #6727-01, Interstate Industrial Park increasing the contract price by $66,157.40. The original contract price was $621,476.00. The new contract price including this change order is $687,633.40;

Mario Trevino, Transportation Engineering Services, apprised the board this change order is due to the following: storm force account was requested by the heavy semi traffic. Because of the rutting, it took additional asphalt wedge and level quantity to correct. Also widening was done prior to milling asphalt off of concrete. This area also required additional wedge and level to bring road elevation to widening elevation. Extra ditching and pipe work was required beyond the requirements of the project in order to properly drain stormwater.
Lin Wilson moved approval of Change Order #1 and FINAL received from Benchmark Construction LLC for Improvement Resolution #6727-01 increasing the contract price by $66,157.40. Motion carried. Contract price to be increased.

21. **IMPROVEMENT RESOLUTION #670-2002,** Sanitary Sewer Improvements, Independence Drive Interceptor;

Pat Callahan, Planning & Design Services, said that the above-mentioned Resolution is for the construction of approximately 3,600 l.f. of 15" sanitary sewer interceptor along Washington Township Natural Drain #6 from Sheafer Avenue to Independence Drive.
John Suarez moved approval of Improvement Resolution #670-02. Motion carried. Copy to be herein incorporated.

22. Approval of Final Change Order received from Insituform Technologies USA, Inc. for Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation decreasing the contract price by $55,931.00. The original contract price was $669,691.50. The new contract price including this change order is $613,760.50;

Ron Sheppard, Engineering Support Services said that this change order is for final adjustment of project quantities.
Lin Wilson moved approval of Final Change Order received from Insituform Technologies USA Inc. for Improvement Resolution #648-01 decreasing the contract price by $55,931.00. Motion carried. Contract price to be decreased.

23. Approval of Agreement between the Fort Wayne Municipal Water Utility and Sewage Works and Crowe, Chizek & Company LLP for Financial Services related to the water and wastewater finances;

Ted Rhinehart said that services would include, but not be limited to, general consulting services related to: rate sufficiency; cost-of-service or rate design matters; regulatory procedural or issue-related advise; operational or procedural matters; financing alternatives related to funding capital improvements; continuing disclosures, filings, or rating agency matters; and other general accounting, tax or financial services are required or requested.
Lin Wilson moved approval of Agreement between the Fort Wayne Municipal Water Utility and Sewage Works and Crowe, Chizek & Company LLP for Financial Services related to the water and wastewater finances. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Engineering Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for Pilot Project for Enhanced High Rate Clarification (EHRC) at Regulator Q07022 for Process Selection, Conceptual Design and Monitoring/Sampling. The cost of the work is a not-to-exceed sum of $89,813.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design apprised the Board of the following: this is a pilot project to evaluate enhanced high rate clarification for use as satellite treatment of Combined Sewer Overflows. City personnel will be introduced to the technology; designed parameters such as flows, strength of influent, and required level of treatment will be established; and a conceptual design will be developed.

John Suarez moved approval of Engineering Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for Pilot Project for Enhanced High Rate Clarification (EHRC) at Regulator Q07022 for Process Selection, Conceptual Design and Monitoring/Sampling. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Lima Road Water Main Replacement: Fernhill Ave. to Edgewood Avenue. The not-to-exceed amount for this contract is $49,100.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design said that water main improvements consists of the replacement of an exiting 8-inch water main on Lima Road (formerly Northrop Street) between Fernhill Avenue and Edgewood Avenue with a proposed 12-inch water main (main size to be determined/verified by the City). The total project will replace approximately 2,700-feet of water main and will include replacement of all services and appurtenances.
Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Lima Road Water Main Replacement: Fernhill Ave. to Edgewood Avenue. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

26. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Lake: Maycrest to Stanley – Water Main Replacement. The not-to-exceed amount for this contract is $47,100.00;

Matt Wirtz, Planning & Design said that water main improvements consists of the replacement of an existing 16-inch water main on Lake Avenue between Maycrest Drive and Stanley Avenue with a proposed 24-inch feeder main. The total project will replace approximately 2,200-feet of water main and will include replacement of all services and appurtenances.
Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Lake: Maycrest to Stanley – Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

27. Approval of Agreement with Environmental Management Corporation (EMC) for Operations Management Assistance at Water and Wastewater Plants. The fee for EMC's services will be $200,000.00 per year, adjusted annually for inflation.

Ted Rhinehart apprised the board of the following: EMC will provide an Operations Manager, Mark Griese, who previously has serve as their Manager in Evansville, Indiana. Chet Shastri and Cheryl Cronin, the City Plant Superintendents, will report to Mr. Griese on a day-to-day basis; he will provide them coaching and direction on capital projects scheduling, maintenance management improvements, improvements to plant operations, and related safety or training program improvements, among other things. Mr. Griese will report to Jerry Jones, Associate Director of Public Works and Utilities Operations. The fee for EMC's Services will be $200,000 per year, adjusted annually for inflation. They will ensure that both plants meet Permit requirements for safe drinking water and effective wastewater treatment, and they will work with City employees to ensure that we meet the Operational Plan goals for each plant. They will receive an Incentive bonus if the combined savings at both plants is below the operational budgets for the plants.
Lin Wilson moved approval of Agreement with Environmental Management Corporation (EMC) for Operations Management Assistance at Water and Wastewater Plants. The fee for EMC's services will be $200,000.00 per year, adjusted annually for inflation. Motion carried. Copy to be herein incorporated.

28. Approval of write off for delinquent revenue accounts received from City Utilities for December, 2001 and special terminated accounts in the amount of $42,616.68;
John Suarez moved approval of write off for delinquent revenue accounts received from City Utilities for December, 2001 and special terminated accounts in the amount of $42,616.68. Motion carried. Delinquent revenue accounts and special terminated accounts in the amount of $42,616.68 to be sent to a collection agency.

29. Approval of Taxi Cab Renewal for Keith Butler. Records check indicates no violation contrary to the City's taxi cab ordinance;
John Suarez moved approval of Taxi Cab Renewal for Keith Butler. Motion carried. Taxi Cab License to be renewed.

30. Approval of Barrett Law Claims in the amount of $59,128.72;
Lin Wilson moved approval of Barrett Law Claims in the amount of $59,128.72. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

31. Approval of Claims in the amount of $3,199,089.96;
John Suarez moved approval of Claims in the amount of $3,199,089.96. Motion carried. Claims to be sent to General Accounting.

32. Old Business:

None.

33. New Business:

(I) Escrow Agreement between All Star Construction Co. and the City of Fort Wayne for Res. 1097-01. Allendale, Kimberly and Deforest Avenue Water Main Replacement project. Lake City Bank is the escrow agent.
Lin Wilson moved approval of Escrow Agreement between All Star Construction Co. and the City of Fort Wayne for Res. 1097-01. Allendale, Kimberly and Deforest Avenue Water Main Replacement project. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

(II) Approval of Selling of Land on Swift Drive - 1.313 Acres to Z. L. Tazian Associates, Inc. for $8,533.34, which is based on the average of two appraisal quotes.

Shelli Young, Property Manager, explained that this tract of land is being sold for future development of single family homes in the price range of $250,000.00 and up. This property runs across two other tracts of land, which will be used for future lot sites. The City recommends this proposed development will be utilizing the property to be the highest and best use.
Lin Wilson moved approval of Selling of Land on Swift Drive - 1.313 Acres to Z. L. Tazian Associates, Inc. for $8,533.34. Motion carried. Purchase Agreement to be executed.

(III) Ted Rhinehart stated for the record that the 2002 Vehicle Lease Financing Bid had been awarded to Bank of America Leasing & Capital who submitted the lowest cost to the City of $369,233.27 on principal borrowings of $3,950,000 (5 year term, semi-annual payments.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
March 13, 2002

City-County Building
Room 250 – Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Richard Knappenberger, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. Preliminary Hearing to confirm Improvement Resolution #6859-02, Packard Avenue: Indiana Avenue to South Wayne, ADA Curb Ramps, concrete sidewalk (south side only), curb (both sides), resurfacing, surface milling, mulched seeding & restoration. Richard Knappenberger, Project Engineer.
Richard Knappenberger, Acting Project Engineer, explained the scope of the project.

Ted Rhinehart asked for questions from the floor.

Claud C. Sigman of 815 West Packard went on record stating that he is against the project and said that nothing was wrong with his curbs and walks. He presented the Board with signatures on a petition with the word "against" the request for the project and the word "for" was marked out. Mr. Sigman stated that a City employee had informed him that this form could serve as a remonstrance. Ted Rhinehart stated that the form was not acceptable and that the City could not accept it. The correct remonstrance form was given to Mr. Sigman.

Tony Kiesling, 805 Packard stated that the petition he submitted to the Board had 60% of the property owners signature.

Marj Enders, Barrett Law Accountant explained the Barrett Law process.
Lin Wilson moved to confirm Improvement Resolution #6859-02. Motion carried.
REMONSTRANCE PERIOD UP ON 3/25/02 AT 5:00 pm.

Meeting adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
March 13, 2002

City-County Building
Room 250 – Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Richard Knappenberger, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. FINAL Hearing to confirm Assessment Roll for Improvement Resolution #6722-02, Alley Reconstruction: from Beaver Avenue to Lexington Avenue. Richard Knappenberger, Project Engineer.

   Brenda Betley, 933 W. Lexington stated that an electric wire was pulled up during the project and is now dangling by her garage and to the west.

   Richard Knappenberger, Project Engineer, said that he would check to see if it is an electrical wire and contact AEP.

   Marj Enders, Barrett Law Accountant explained the Barrett Law process.
   John Suarez moved to confirm Assessment Roll for Improvement Resolution #6722-02. Motion carried. Assessments to be sent.

Hearing adjourned at 11:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

NOTICE OF CHANGE OF MEETING DATE

The regular weekly meeting of the Board of Public Works will not be held on Wednesday, March 20, 2002. The next scheduled meeting will be held on March 27, 2002 at 9:00 a.m. in the Omni Room, Room 250 of the City-County Building.

Carolyn S. Newport, Clerk
Board of Public Works

March 15, 2002

BOARD OF PUBLIC WORKS

Mar. 27, 2002

City-County Building
Room 250 – Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; Marj Enders, Barrett Law Accountant; David Ross, City Engineer.

1. Final Hearing to confirm Assessment Roll for #6692-00, Centennial Industrial Park Roadway Improvements;

David Ross, City Engineer explained the scope of the project.

Ted Rhinehart asked for questions from the floor.

Ed Hughes, Tec Hackett, Inc. – 3418 Cavalier Drive, had complaints about regrading and reseeding.

Lois Parker – A & L Great Lakes Labs – 3505 Conestoga, stated that her driveway was damaged from construction material and heavy equipment.

Mark Bonahoom – Hospital Laundry Service Inc. - 3322 Cavalier Drive, complained about storm drainage just off of the west entrance of Goshen across from the U. S. Post Office and on the north side across from Wayne Fastener Company.

David Ross stated that he would visit the sites and have the problems addressed by the contractor.
Lin Wilson moved to confirm Assessment Ross for #6692-00. Motion carried. Assessments to be sent.

Hearing adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

MARCH 27, 2002

Board of Public Works
Room 250 - Omni Room
Meeting held at 9:00 A.M.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, and Carolyn Newport, BOW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Mark Griese, EMC; Ron Sheppard, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Jim Howard, BOW Attorney; Carl Wilson, Contract Compliance; Al Lichtsinn, Street Light Engineering; Ethel Morgan, Matt Wirtz & Pat Callahan, Planning & Design. John Suarez, absent.

Ted Rhinehart congratulated Mary Jane Slaton and Vicki Muncie for receiving the 5-City Star Award Level.

1. **RECEIVE BIDS:** Improvement Resolution #645-02, East Shore Drive Sanitary Sewer Extension;

ALL STAR CONSTRUCTION	$49,831.80
BERCOT, INC.	$59,665.00
DAFFORN EXCAVATING, INC.	$57,581.65
GEIGER DEVELOPING	$58,577.00
LAND, INC.	$60,000.00
PYRAMID EXCAVATING, INC.	$61,878.35

Eng. Est. – $68,532.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6851-02, Main Street: North Side of the 600 Block;

GARCIA CONCRETE	$37,676.00
HIPSKIND CONCRETE	$34,241.00

Eng. Est. – $21,910.00
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6852-02, Resurfacing Package 3-2002

BROOKS CONSTRUCTION	$ 947,774.00
E & B PAVING	$ 974,134.10
WAYNE ASPHALT	$1,102,722.80

Eng. Est. – $1,077,657.25
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6855-02, Curb Ramp Package 4-2002;

HIPSKIND CONCRETE	$145,009.00
KEY CONCRETE	$ 92,330.00

Eng. Est. –$101,782.50
Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6862-02, Miscellaneous Construction Package 4-A-02;

GARCIA CONCRETE	$88,072.00
HIPSKIND CONCRETE	$84,149.50
KEY CONCRETE	$74,769.00

Eng. Est. –$88,789.00
Transportation Engineering Services to tabulate and report.

6. **RECEIVE BIDS:** Improvement Resolution #6868-02, Resurfacing Package 2-2002

BROOKS CONSTRUCTION	$1,283,986.70
BUNN, INC.	$1,388,424.20
E & B PAVING	$1,494,942.40

Eng. Est. – $1,665,542.75
Transportation Engineering Services to tabulate and report

7. Approval of Board of Public Works Minutes of March 13, 2002, Preliminary Hearing Minutes of March 13, 2002 for Improvement Resolution #6859-02, Packard Avenue, and Final Hearing Minutes for Improvement Resolution #6722-02, Alley Reconstruction from Beaver to Lexington Avenue;
Lin Wilson moved approval of Board of Public Works Minutes of March 13, 2002, Preliminary Hearing Minutes of March 13, 2002 for Improvement Resolution #6859-02, Packard Avenue, and Final Hearing Minutes for Improvement Resolution #6722-02, Alley Reconstruction from Beaver to Lexington Avenue. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs to Garcia Concrete Const., Inc. in the amount of $11,150.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs to Garcia Concrete Const., Inc. in the amount of $11,150.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6849-02, Riverside Avenue: Spy Run to Griswold to Newell Const. Co., Inc. in the amount of $54,470.00. Contract Compliance concurs with this award;

Lin Wilson moved approval of Improvement Resolution #6849-02, Riverside Avenue: Spy Run to Griswold to Newell Const. Co., Inc. in the amount of $54,470.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6787-01, Evard Road and St. Joe Road Intersection to Brooks Construction in the amount of $184,947.65. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #6787-01, Evard Road and St. Joe Road Intersection to Brooks Construction in the amount of $184,947.65. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

11. **AWARD:** Improvement Resolution #583-1998, Forest Avenue Storm Sewer to All Star Construction in the amount of $1,198,601.50. Contract Compliance concurs with this award.
Lin Wilson moved approval of Improvement Resolution #583-1998, Forest Avenue Storm Sewer to All Star Construction in the amount of $1,198,601.50. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

12. Approval of Joint **Resolution** approving Transfer of Responsibilities under "Taxi Cab Ordinance" Chapter 116 of Municipal Code, to the Board of Public Safety from the Board of Public Works of the City of Fort Wayne, Indiana;

James Howard, Attorney for Board of Public Works, explained that the above-mentioned ordinance grants the City of Fort Wayne Board of Public Safety with all necessary power and authority for the effective and proper administration of said ordinance.
Lin Wilson moved approval of Joint Resolution approving Transfer of Responsibilities under "Taxi Cab Ordinance" Chapter 116 of Municipal Code, to the Board of Public Safety from the Board of Public Works of the City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

13. **RESOLUTION** of the City of Fort Wayne, Board of Public Works (Board) approving one-time lump sum payment to CSX Transportation, Inc.

Ted Rhinehart explained that that the City currently pays $400 to the railroad company a year for the purpose of securing a water line encroachment on railroad property at two locations pursuant to contracts entered into in the year 1988. CSX has agreed to a lump sum payment from the City of $7,771.19 in lieu of the annual license fees on both of the identified contracts.
Lin Wilson moved approval of RESOLUTION of the City of Fort Wayne, Board of Public Works (Board) approving one-time lump sum payment to CSX Transportation, Inc. Motion carried. Copy to be herein incorporated.

14. Supplemental Agreement between the City of Fort Wayne and CSX Transportation, Inc. to provide for one-time lump sum license fee(s) in lieu of any further periodic fees or rental or any right to increase same;

Lin Wilson moved approval of Supplemental Agreement between the City of Fort Wayne and CSX Transportation, Inc. to provide for one-time lump sum license fee(s) in lieu of any further periodic fees or rental or any right to increase same. Motion carried. Copy to be placed on file in vault.

15. Interlocal Agreement with Allen County and City of New Haven concerning the Maplecrest Road;

Ted Rhinehart apprised the Board of the following: the City of Fort Wayne and the above-mentioned agencies have been working cooperatively for several years to seek federal funding for a new bridge over the Maumee Rover that would extend Maplecrest Road south to connect with the Adams Center Road at State Road 930. This connection would provide a new north-south corridor that extends from I-469 south to I-469 north. The county recently informed the City that they have sufficient funding in their major bridge fund to begin preliminary engineering of this project. The Interlocal Agreement would demonstrate the City's commitment to funding the estimated Fort Wayne share of this future project (20% of the 20% local match of a traditional 80/20 Federal/local grant), or approximately $1,142,688 of the estimated $28,567,200 project.
Lin Wilson moved approval of Interlocal Agreement with Allen County and City of New Haven concerning the Maplecrest Road. Motion carried. Interlocal Agreement to be sent to City Council

16. Approval of Resolution for conveying property located at 2518 Winter Street (Old Fire Station #9) to the Board of Commissioners of the County of Allen;

Ted Rhinehart explained the following; this Resolution is for conveying the above-mentioned property to the Allen County Commissioners for the Allen County Reseeding Project, which is a Joint Venture between The Community Harvest Food Bank and the Allen County Community Corrections. The Community Harvest Food Bank would be providing a pantry open to those in need 7 days a week in the Southeast Quadrant of Fort Wayne.

Allen County Community Corrections will receive technical, as well as monetary assistance, from the federal government in the areas of Law Enforcement, Community Policing, Neighborhood Restoration, and Prevention, Intervention and Treatment, to the residents of the Southeast region in Fort Wayne.

Community Harvest Food Bank has offered to train the offenders who are participating in the Employment and Training division of the Allen County Reseeding Project.

Another Community Partner, Hilgers Farm Market is committed to designating a lot of land for the ACCC offenders to harvest.
Lin Wilson moved approval of Resolution for conveying property located at 2518 Winter Street to the Board of Commissioners of the County of Allen provided that the word "blighted" is changed to underserved" in the Letter of Intent. Motion carried. Copy to be herein incorporated.

17. **IMPROVEMENT RESOLUTION #6871-02,** Lakewood Drive: Donna Drive to Reserve Line Road;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstructing the existing roadway with new asphalt pavement, new concrete curbing and drive approaches as needed, and rehabilitating the existing storm sewer structures.
Lin Wilson moved approval of Improvement Resolution #6871-02. Motion carried. Copy to be herein incorporated. Hearing to be scheduled.

18. **IMPROVEMENT RESOLUTION #6872-02,** Treverton Drive (7221-7209);

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstruction of roadway, I.E. cement concrete pavement patching; which includes; pavement restoration, including integral curbs, underdrain, reconstruct affected driveway approaches, rehabilitate storm sewer structures, and mulched seeding restoration.
Lin Wilson moved approval of Improvement Resolution #6872-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/10/02.

19. **IMPROVEMENT RESOLUTION #6873-02,** Trier Ridge Park: Debeney Drive and Verona Drive;

Mario Trevino, Transportation Engineering, remarked that this Resolution is for reconditioning of roadway, milling of existing pavement, resurfacing, and total curb replacement; which includes; scarification/compaction of existing, and proposed roadway base materials, construction of underdrain, reconstruct affected residential drive approaches, rehabilitate storm sewer structures, mulched seeding restoration.
Lin Wilson moved approval of Improvement Resolution #6873-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/17/02.

20. **IMPROVEMENT RESOLUTION #6874-02,** Colonial Heritage Addition;

Mario Trevino, Transportation Engineering Services, said that this improvement is for Sherrill Drive from Larkwood Lane to Yorkshire Drive, and the 5200 block of Cloverbrook Drive by reconstruction of roadway, I.E. cement concrete pavement patching; which includes: pavement restoration, including integral curbs, construction of underdrain, reconstruct affected residential dive approaches, rehabilitate storm sewer structures, mulched seeding restoration.
Lin Wilson moved approval of Improvement Resolution #6874-02. Motion carried. Copy to be here incorporated. Bids to be received on 4/17/02.

21. **IMPROVEMENT RESOLUTION #6877-02,** Curb Ramp Package 2-2001;

Mario Trevino, Transportation Engineering Services, explained that this improvement would be at various locations in the Camelot Addition, Bullerman Park Forest Addition, Oakhurst Addition and the Willshire Addition. Also, the intersections of State & Coliseum Blvd., Trier & Hobson & Santa Rosa & Clara Avenue.
Lin Wilson moved approval of Improvement Resolution #6877-02. Motion carried. Copy to be herein incorporated. Bids to be received on 4/17/02.

22. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the design of improvements to The Landing. Proposed improvements include: cement concrete sidewalk rehabilitation/reconstruction; brick walk reconstruction; curb ramp construction; tree planter upgrade. Compensation for services performed shall be a lump sum fee of $15,600.00 funded through the Redevelopment Department Account. City Engineering recommends approval;

David Ross, City Engineer, said that the design would b completed in 45 days and that improvements to Harrison Street would be performed as funding becomes available.
Lin Wilson moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the design of improvements to The Landing. Motion carried. Copy to be herein incorporated. Notice to proceed to be sent.

23. Approval of recommendation from Transportation Engineering Services to rescind all action on Improvement Resolution #6837-02, Dayton Avenue Alley Reconstruction;
Lin Wilson moved approval of recommendation from Transportation Engineering Services to rescind all action on Improvement Resolution #6837-02, Dayton Avenue Alley Reconstruction. Motion carried. All action rescinded.

24. Approval of Change Order #1 (FINAL) received from Bunn, Inc. for #6781-01, McKinnie Circle Reconstruction increasing the contract price by $2,747.69. The original contract price was $78,811.50. The new contract price including this change order is $81,559.19;

Mario Trevino, Transportation Engineering Services said that this change order shows a reflection of quantities used to complete the project.
Lin Wilson moved approval of Change Order #1 (FINAL) received from Bunn, Inc. for #6781-01, McKinnie Circle Reconstruction increasing the contract price by $2,747.69. Motion carried. Contract price to be increased.

25. Approval of Construction Contract between Brooks Construction Co., Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6804-01, Jefferson Blvd. West: RR Viaduct to St. Mary's River Bridge in the amount of $1,276,716.77;
Lin Wilson moved approval of Construction Contract between Brooks Construction Co., Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6804-01, Jefferson Blvd. West: RR Viaduct to St. Mary's River Bridge in the amount of $1,276,716.77. Motion carried. Contract to be sent to City Council.

26. Approval of Construction Contract between Hipskind Concrete and the City of Fort Wayne, Indiana for Improvement Resolution #6831-02, Spring Street: Tyler Avenue to Wells Street in the amount of $401,198.05;
Lin Wilson moved approval of Construction Contract between Hipskind Concrete and the City of Fort Wayne, Indiana for Improvement Resolution #6831-02, Spring Street: Tyler Avenue to Wells Street in the amount of $401,198.05. Motion carried. Contract to be sent to City Council.

27. Approval of Construction Contract between Newell Construction Company and the City of Fort Wayne for Improvement Resolution #6838-02, Azalea Drive: Bethany Lane to Bayberry Drive in the amount of $124,197.20;

Lin Wilson moved approval of Construction Contract between Newell Construction Company and the City of Fort Wayne for Improvement Resolution #6838-02, Azalea Drive: Bethany Lane to Bayberry Drive in the amount of $124,197.20. Motion carried. Contract to be sent to City Council.

28. Approval of Construction Contract between Hipskind Concrete and the City of Fort Wayne, Indiana for Improvement Resolution #6846-02, Miscellaneous Construction Package 3-A-02 in the amount of $71,942.00;
Lin Wilson moved approval of Construction Contract between Hipskind Concrete and the City of Fort Wayne, Indiana for Improvement Resolution #6846-02, Miscellaneous Construction Package 3-A-02 in the amount of $71,942.00. Motion carried. Notice to proceed to be sent.

29. Approval of Construction Contract between Key Concrete Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6853-02, Miscellaneous Construction Package 1-A-2002 in the amount of $58,257.00;
Lin Wilson moved approval of Construction Contract between Key Concrete Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6853-02, Miscellaneous Construction Package 1-A-2002 in the amount of $58,257.00. Motion carried. Notice to proceed to be sent.

30. Approval of Construction Contract between Key Concrete Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6858-02, Miscellaneous Construction Package 5-A-2002 in the amount of $75,523.00;
Lin Wilson moved approval of Construction Contract between Key Concrete Inc. and the City of Fort Wayne, Indiana for Improvement Resolution #6858-02, Miscellaneous Construction Package 5-A-2002 in the amount of $75,523.00. Motion carried. Notice to proceed to be sent.

31. Approval of Construction Contract between the Robert Henry Corp. and the City of Fort Wayne, Indiana for Improvement Resolution #273-01, 300-400 Arcadia Court & 400 Englewood Court Street Light Improvement in the amount of $18,283.00;
Lin Wilson moved approval of Construction Contract between the Robert Henry Corp. and the City of Fort Wayne, Indiana for Improvement Resolution #273-01, 300-400 Arcadia Court & 400 Englewood Court Street Light Improvement in the amount of $18,283.00. Motion carried. Notice to proceed to be sent.

32. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Telemetry Study at the Three Rivers Filtration Plant. The not-to-exceed amount for this agreement is $16,460.00. Planning & Design Services recommend approval;

Ethel Morgan, Planning & Design Services stated that the Telemetry Study at the Filtration Plant is outdated. The telemetry study will provide a report with recommendations and costs for implementing an overall telemetry system upgrade.

Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Telemetry Study at the Three Rivers Filtration Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

33. Approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for Three Rivers Filtration Plant Sludge Recycling Study. The lump sum for this agreement is $50,000.00. Planning & Design Services recommend approval;

Ethel Morgan, Planning & Design Services apprised the Board of the following: the sludge recycling study will investigate modifying the current excess line softening process at the Three Rivers Filtration Plant to include sludge recirculation. Potential benefits of the sludge recirculation include enhances process stability (i.e. pH control); improve flocculation performance; and reduced chemical usage (lime, ferric chloride). The study will include a review of operating data and water quality regulations pertinent to sludge recycling, an evaluation of the findings of a sludge recirculation bench-scale test to be conducted jointly with City staff, design concepts for implementing sludge recirculation, and recommendations for future improvements.

Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for Three Rivers Filtration Plant Sludge Recycling Study. The lump sum for this agreement is $50,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

34. Approval of Amendment #2 to the Professional Services Agreement between the City of Fort Wayne and Bonar Group, dated July 18, 2001, for inventorying stormwater facilities in the combined sewer areas. The cost of the work is a not-to-exceed sum of $63,200.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services explained that this Amendment covers the work required to finish the inventory in the two pilot quarter sections. An additional services section has also been added to the contract to do some work (raising manhole covers, dye testing, and confined space entry) that WPC Maintenance has had trouble getting to in a timely manner.

Lin Wilson moved approval of Amendment #2 to the Professional Services Agreement between the City of Fort Wayne and Bonar Group, dated July 18, 2001, for inventorying stormwater facilities in the combined sewer areas. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

35. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana for Union Chapel Road Water Main Extension: Diebold Road to approximately 750 feet west of I-69. The not-to-exceed amount for this Agreement is $43,800.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design Services stated that this project is for water main improvements consisting of the construction of new 16-inch water main on the north side of Union Chapel Road from an existing water main located at the intersection of Union Chapel Road and Diebold Road to a point approximately 750-feet west of I-69. The total project will be approximately 3,300-feet of new water main including new services and required appurtenances.

Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana for Union Chapel Road Water Main Extension: Diebold Road to approximately 750 feet west of I-69. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

36. Approval of FINAL Change Order received from Reynolds, Inc. for Resolution #629-00, Morton Street Combination Sewer Rehabilitation decreasing the contract price by $55,005.00. The original contract price was $633,065.00. The new contract price including this change order is $578,060.00;

Ron Sheppard, Engineering Support Services remarked that this change order is for final adjustment of quantities.

Lin Wilson moved approval of FINAL Change Order received from Reynolds, Inc. for Resolution #629-00, Morton Street Combination Sewer Rehabilitation decreasing the contract price by $55,005.00. Motion carried. Contract price to be decreased.

37. Approval of Construction Contract between All Star Construction and the City of Fort Wayne for Improvement Resolution #1099-02, Bowser, Calhoun and Kenwood Water Main in the amount of $259,949.60;

Lin Wilson moved approval of Construction Contract between All Star Construction and the City of Fort Wayne for Improvement Resolution #1099-02, Bowser, Calhoun and Kenwood Water Main in the amount of $259,949.60. Motion carried. Contract to be sent to City Council.

38. Approval of Construction Contract between Shook Heavy & Environmental Group: A Division of Shook, Inc. for WPCP Improvement Package 1 Preliminary and Secondary Treatment Facilities in the amount of $18,801,000.00;

Lin Wilson moved approval of Construction Contract between Shook Heavy & Environmental Group: A Division of Shook, Inc. for WPCP Improvement Package 1 Preliminary and Secondary Treatment Facilities in the amount of $18,801,000.00. Motion carried. Contract to be sent to City Council.

39. Approval of Interagency Sewer Construction Agreement #2002-S-02 between the City of Fort Wayne – Street Department and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve the Fort Wayne Transportation Facility at Rothman Road and Young Road. This project is outside the City. This contract contains provisions of Waiver of Remonstrance against annexation. A letter of conceptual approval has been granted. (Funded by the Fort Wayne Street Department);

Jack Suter, Development Services, said that said sewer would include 1,158± L.F. of 8" PVC pipe and 4 manholes and this is a reimbursement contract.

Lin Wilson moved approval of Interagency Sewer Construction Agreement #2002-S-02 between the City of Fort Wayne – Street Department and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve the Fort Wayne Transportation Facility at Rothman Road and Young Road. Motion carried. Sanitary sewer system to be constructed.

40. Approval of Taxi Cab License for Bart S. Manvilow and Dagla L. Suel and Taxi Cab License Renewals for Jon Eric Sauers, Francis E. Baughman, Jeffrey A. Noll, and Shannon M. Lude. Background checks indicate no violation contrary to the City Taxi Cab Ordinance;
Lin Wilson moved approval of Taxi Cab License for Bart S. Manuilow and Dagla L. Suel and Taxi Cab License Renewals for Jon Eric Sauers, Francis E. Baughman, Jeffrey A. Noll, and Shannon M. Lude. Motion carried. Licenses to be issued.

41. Approval of write-off of City Utilities revenue accounts for Miscellaneous Billings in the amount of $2,320.93;
Lin Wilson moved approval of write-off of City Utilities revenue accounts for Miscellaneous Billings in the amount of $2,320.93. Motion carried. Write-offs to be sent to a collection agency.

42. Approval of Barrett Law Claims in the amount of $3,540.23;
Lin Wilson moved approval of Barrett Law Claims in the amount of $3,540.23. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

43. Approval of General Accounting Claims in the amount of $5,072,422.75 for the week of 3/20/02 and $2,836,590.85;
Lin Wilson moved approval of General Accounting Claims in the amount of $5,072,422.75 for the week of 3/20/02 and $2,836,590.85 for the week of 3/27/02. Motion carried. General Accounting Claims to be sent to the Department of Finance.

44. Old Business:

None.

45. New Business:

None.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport

MARCH 27, 2002

Board of Stormwater Management
Room 250 - Omni Room
Meeting held at 9:55 A.M.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, and Carolyn Newport, BOW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Mark Griese, EMC; Ron Sheppard, Engineering Support Services; Mary Jane Slaton & Jack Suter, Development Services; Jim Howard, BOW Attorney; Carl Wilson, Contract Compliance; Al Lichtsinn, Street Light Engineering; Ethel Morgan, Matt Wirtz & Pat Callahan, Planning & Design. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of March 6, 2002;
Lin Wilson moved approval of Board of Stormwater Management Minutes of March 6, 2002;

2. Approval of Escrow Agreement between the City and Bunn Excavating, Inc. for Improvement Resolution #637-02, Delray, Jonquil, Rockwood Stormwater Improvements. Tower Bank is the Escrow Agent;
Lin Wilson moved approval of Escrow Agreement between the City and Bunn Excavating, Inc. for Improvement Resolution #637-02. Motion carried. Copy to be sent to the Escrow Agent.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

March 27, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, Carolyn Newport, BOPW; Marj Enders, Barrett Law Accountant; Matt Gray, Project Engineer, Transportation Engineering Services. John Suarez, absent.

1. PRELIMINARY Hearing to Confirm Assessment Roll for Improvement Resolution #6864-02, S. Wayne Avenue to Indiana Avenue between Packard Avenue & Kinsmoor Avenue (Alley Reconstruction) Matt Gray is the Project Engineer.

   Matt Gray, Project Engineer, Transportation Engineering Services explained the scope of the project and then Marj Enders, Barrett Law Accountant explained the Barrett Law process. **Lin Wilson moved to Confirm Assessment Roll for Improvement Resolution #6864-02. Motion carried. REMONSTRANCE PERIOD UP ON APRIL 8, 2002 AT 5:00 P.M.**

Meeting adjourned at 10:20 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST:
Carolyn S. Newport, Clerk

March 27, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Lin Wilson, Carolyn Newport, BOPW; Marj Enders, Barrett Law Accountant; Gary Ainslie, Project Engineer, Transportation Engineering Services. John Suarez, absent.

1. PRELIMINARY Hearing to Confirm Assessment Roll for Improvement Resolution #6845-02, Wohoma Drive: Maplewood to Hopewell.

   Gary Ainslie, Project Engineer, Transportation Engineering Services explained the scope of the project and then Marj Enders, Barrett Law Accountant explained the Barrett Law process.
   Lin Wilson moved to Confirm Assessment Roll for Improvement Resolution #6845-02. Motion carried. REMONSTRANCE PERIOD UP ON APRIL 8, 2002 AT 5:00 P.M.

Meeting adjourned at 10:20 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

APRIL 3, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM
TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mike Fruchey, Transportation Engineering Services; Jim Howard, City Law Department; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic, Ethel Morgan, and Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Al Lichtsinn, Street Light Engineering;

1. **RECEIVE BIDS:** Improvement Resolution #281-02, Lima Valley Addition Street Light Improvement;

ROBERT HENRY CORP.	$ 8,320.00
LIGHTS & SIGNALS	$11,420.50
TRANS TECH ELECTRIC	$46,157.50

ENG. EST. – $12,934.50
Street Light Engineering to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6848-02, N. Harrison: Third Street to Sixth St.;

GARCIA CONCRETE	$102,577.00
HIPSKIND CONCRETE	$ 84,790.00
KEY CONCRETE	$ 96,110.00
NEWELL CONST.	$ 86,214.50

ENG. EST. - $84,034.00
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6856-02, Maple Grove Avenue: Calhoun St. to Montrose Avenue;

BROOKS CONST.	$137,625.00
HIPSKIND CONCRETE	$126,172.40

ENG. EST. - $111,300.00
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6861-02, Melrose Avenue: Edith to Poinsette;

ALL STAR CONST.	$82,664.00
BROOKS CONST.	$94,300.50
HIPSKIND CONCRETE	$97,170.50

ENG. EST. - $100,069.25
Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6863-02, Resurfacing Pkg. 1-02;

Ted Rhinehart announced that the above-mentioned Improvement Resolution would be received along with Improvement Resolution #6833-02, Resurfacing Pkg. A-02 on Friday at 11:00 a.m. in the Omni Room.

6. **RECEIVE BIDS:** Improvement Resolution #6870-02, Capitol Avenue: Woodsdale Lane to Maple Grove;

ALL STAR CONST.	$160,505.00
BROOKS CONST.	$185,033.00
BUNN INC.	$156,408.50
HIPSKIND CONCRETE	$186,268.00
WAYNE ASPHALT	$164,694.25

ENG. EST. - $179,335.75
Transportation Engineering Services to tabulate and report.

7. Approval of Board of Public Works Minutes of March 27, 2002 and Public Hearing Minutes of March 27, 2002 for Improvement Resolution #6864-02, S. Wayne Avenue to Indiana Avenue between Packard Avenue & Kinsmoor Avenue (Alley Reconstruction) and Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell;
Lin Wilson moved approval of Board of Public Works Minutes of March 27, 2002 and Public Hearing Minutes of March 27, 2002 for Improvement Resolution #6864-02, S. Wayne Avenue to Indiana Avenue between Packard Avenue & Kinsmoor Avenue (Alley Reconstruction) and Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell. Motion carried. Minutes approved.

8. **AWARD:** Improvement Resolution #645-02, East Shore Drive Sanitary Sewer Extension to All Star Construction & Excavating, Inc. in the amount of $49,832.80. Contract Compliance concurs with this award;
Lin Wilson moved approval of award of Improvement Resolution #645-02, East Shore Drive Sanitary Sewer Extension to All Star Construction & Excavating, Inc. in the amount of $49,832.80. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6851-02, Main Street: 600 block north side (sidewalks) to Hipskind Concrete Corp. in the amount of $34,436.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #6851-02, Main Street: 600 block north side (sidewalks) to Hipskind Concrete Corp. in the amount of $34,436.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6852-02, Resurfacing Pkg. 3-2002 to Brooks Construction Co., Inc. in the amount of $947,774.00. **PRIOR APPROVAL REQUESTED;**
Lin Wilson moved approval of award for Improvement Resolution #6852-02, Resurfacing Pkg. 3-2002 to Brooks Construction Co., Inc. in the amount of $947,774.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6855-02, Curb Ramp Pkg. 4-2002 to Key Concrete Inc. in the amount of $92,330.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of award for Improvement Resolution #6855-02, Curb Ramp Pkg. 4-2002 to Key Concrete Inc. in the amount of $92,330.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6862-02, Misc. Construction Pkg. 4-A-02 to Key Concrete, Inc. in the amount of $74,769.00. Contract Compliance concurs with this award;
Lin Wilson moved approval of Improvement Resolution #6855-02, Curb Ramp Pkg. 4-2002 to Key Concrete Inc. in the amount of $92,330.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. **AWARD:** Improvement Resolution #6868-02, Resurfacing Pkg. 2-2002 to Brooks Construction in the amount of $1,283,986.70. Contract Compliance concurs with this award.
PRIOR APPROVAL REQUESTED;
Lin Wilson moved approval of award for Improvement Resolution #6868-02, Resurfacing Pkg. 2-2002 to Brooks Construction in the amount of $1,283,986.70. Motion carried. Notice of Award to be sent. Transportation Engineering Services to prepare contracts.

14. Approval of Hold Harmless Agreement between Poets Café, D.B.A. Columbia Street West and the City of Fort Wayne for a sidewalk restaurant at 135 West Columbia Street;
John Suarez moved approval of Hold Harmless Agreement between Poets Café, D.B.A. Columbia Street West and the City of Fort Wayne for a sidewalk restaurant at 135 West Columbia Street. Motion carried. Copy to be placed on file in vault.

15. Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks and Recreation Department whereas the City of Fort Wayne Board of Public Works agrees to allocate $4,795.00 from 5th District CEDIT Funds for tree planting in Kettler Park in the Fairfield Terrace/Belmont Neighborhood Association as part of the annual CHIPIN Program;
Lin Wilson moved approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks and Recreation Department whereas the City of Fort Wayne Board of Public Works agrees to allocate $4,795.00 from 5th District CEDIT Funds for tree planting in Kettler Park in the Fairfield Terrace/Belmont Neighborhood Association as part of the annual CHIPIN Program. Motion carried. Copy to be placed on file in vault.

16. **IMPROVEMENT RESOLUTION #6867-02,** Courtwood Drive and Kirkfield Drive;

Mike Fruchey, Transportation Engineering Services said that this is for replacement of concrete curb, drive approaches, installing subsurface drainage improvements, new storm sewer pipes and structures, asphalt resurfacing and restoration.
John Suarez moved approval of Improvement Resolution #6867-02. Motion caried. Copy to be herein incorporated.

17. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6799-01, Northway Avenue decreasing the contract price by $380.58. The original contract price was $91,882.70. The new contract price including this change order is $91,502.12;

Mike Fruchey, Transportation Engineering Services said this change order is for final adjustment of quantities.
Lin Wilson moved approval of Change Order #1 and FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6799-01 decreasing the contract price by $380.58. Motion carried. Contract price to be decreased.

18. Approval of Construction Contract between G. E. Minear Construction Co., Inc. and the City of Fort Wayne for Improvement Resolution #6847-02, Miscellaneous Construction Pkg. 3-B-02 in the amount of $20,236.00;
John Suarez moved approval of Construction Contract between G. E. Minear Construction Co., Inc. and the City of Fort Wayne for Improvement Resolution #6847-02, Miscellaneous Construction Pkg. 3-B-02 in the amount of $20,236.00. Motion carried. Notice to proceed to be sent.

19. Approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt & Const. Co., Inc. for Resolution #6809-01, Trier Road and Resolution #6834-01, Hobson Road. Fifth Third Bank is the Escrow Agent;
Lin Wilson moved Approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt & Const. Co., Inc. for Resolution #6809-01, Trier Road and Resolution #6834-01, Hobson Road. Motion carried. Escrow Agreements to be sent to the Escrow Agent.

20. Approval of Agreement between the City of Sagamore Associates, Inc. for Planning for the City of Fort Wayne Water Utility Long Range and Strategic Planning. The fee for this works is $9,500.00. Planning & Design Services recommend approval;

Greg Meszaros, Chief of Engineering said that this agreement is for the following:

Participate in workshops with the City's Project Implementation team and its lead consultant on this project

Participate in the project meetings with the Utility Expansion Policy Committee and the project Advisory Group as established by the City and or Malcolm Pirnie.

Provide background information on land use, grow and development, and pubic infrastructure planning issuers as requested by the City.
Lin Wilson moved approval of Agreement between the City of Sagamore Associates, Inc. for Planning for the City of Fort Wayne Water Utility Long Range and Strategic Planning. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Amendment #1 to the Contract for Professional Engineering Services for HNTB for High Service Pump Modeling. The total lump sum fee for this Contract Amendment is $1,500, resulting in a total lump sum contract fee for this project of $7,500. Planning & Design Services recommend approval;

Ethel Morgan, Planning & Design Services said that the added scope of work is for additional investigation for electrical systems.

Lin Wilson moved approval of Amendment #1 to the Contract for Professional Engineering Services for HNTB for High Service Pump Modeling. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreements between the City of Fort Wayne and Construction Support Services and the City of Fort Wayne and Bonar Group for Private Contract Construction Engineering/Inspection Services for Water Resources Engineering Department. Engineering Support Services recommend approval;

Ron Sheppard, Engineering Support Services said that Construction Support Services and Bonar Group have performed these services previously.
Lin Wilson moved approval of Professional Services Agreements between the City of Fort Wayne and Construction Support Services and the City of Fort Wayne and Bonar Group for Private Contract Construction Engineering/Inspection Services for Water Resources Engineering Department. Motion carried. Copies to be placed on file in vault. Notices to proceed to be sent.

23. Approval of Sanitary Sewer Contract #2002-S-04 between the Allen County Regional Water and Sewer District and the City of Fort Wayne to serve Wheatridge Addition-Lockville Road. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services said that said sewer would include 1,655 LF of 8" diameter pipe and 5 manholes to service 18 residential properties.
John Suarez moved approval of Sanitary Sewer Contract #2002-S-04 between the Allen County Regional Water and Sewer District and the City of Fort Wayne to serve Wheatridge Addition-Lockville Road. Motion carried. Sanitary sewer to be constructed.

24. Approval of Sanitary Sewer Contract #2002-S-05 between Millennium Development, Inc. and the City of Fort Wayne to construct a sanitary sewer to serve Mallard's Lake. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services said that said sewer would include 940+ LF of 8" PVC pipe and 5 manholes.
Lin Wilson moved approval of Approval of Sanitary Sewer Contract #2002-S-05 between Millennium Development, Inc. and the City of Fort Wayne to construct a sanitary sewer to serve Mallard's Lake. Motion carried. Sanitary sewer to be constructed.

25. Approval of Sanitary Sewer Contract #2002-S-08 between NPT Development Corp and the City of Fort Wayne to construct a sanitary sewer to serve Hawthorne Park Section IV. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services said that said sewer would include 1,698± LF of 8" PVC Pipe and 539± LF of 15" PVC Pipe and 7 manholes.

Lin Wilson moved approval of Sanitary Sewer Contract #2002-S-08 between NPT Development Corp and the City of Fort Wayne to construct a sanitary sewer to serve Hawthorne Park Section IV. Motion carried. Sanitary sewer to be constructed.

26. Approval of Water Contract #2002-W-02 between Bass Road Investment Group and the City of Fort Wayne to construct a water main system to serve Thomas Road Feeder Main Extension. This project is located inside and outside the City of Fort Wayne (PRIVATELY/UTILITY FUNDED);

Greg Meszaros, Chief of Engineering apprised the Board of the following: there is a need to provide increased water pressure and quantity to serve the requirements of existing water consumers and fire protection services in certain areas near the City's western edge. The most logical way to provide water service of an adequate pressure and capacity to existing need areas and the anticipated growth area would be to extend a new 16 inch Thomas Road Feeder Main along the Thomas Road from the Illinois feeder main to the Bass Road and northward.

The investor hereby agrees to construct and transfer to the City approximately 5341 LF of 16" water feeder main for a total estimated initial cost not to exceed $484,000.00. If the cost exceeds that amount, the City agrees to include the additional amount in the cost of Facility construction provided the increased cost is not due to the negligence or willful misconduct of the Investor or its employees or contractors.
John Suarez moved approval of Water Contract #2002-W-02 between Bass Road Investment Group and the City of Fort Wayne to construct a water main system to serve Thomas Road Feeder Main Extension. Motion carried. Water main system to be constructed.

27. Approval of Policy Concerning Cost of Building Sewer or Tap Repair;

Mary Jane Slaton, Development Services explained that this document is for the following: to establish a policy under which the City and the property owner may share in the cost for repairing that portion of the building sewer for residential properties most affected by main depth, location and size in those circumstances where the cost exceeds the typical price. Further, the City wishes to provide the property owner with a financing mechanism for its share of the cost when the owner meets the guidelines contained in this policy.

Lin Wilson moved approval of Policy Concerning Cost of Building Sewer or Tap Repair. Motion carried. Copy to be herein incorporated.

28. Approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Improvement Resolution #1099-02, Bowser, Calhoun and Kenwood Water Main. The Escrow Agent is Lake City Bank;
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and All Star Construction for Improvement Resolution #1099-02, Bowser, Calhoun and Kenwood Water Main. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

29. Approval of write-off of City Utilities revenue accounts for the month of January 2002 in the amount of $88,397.87;

Lin Wilson moved approval of write-off of City Utilities revenue accounts for the month of January 2002 in the amount of $88,397.87. Motion carried. Write-off to be sent to a collection agency.

30. Approval of Barrett Law Claims in the amount of $29,224.34;
John Suarez moved approval of Barrett Law Claims in the amount of $29,224.34. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

31. Approval of General Accounting Claims in the amount of $6,896,478.59;
Lin Wilson moved approval of General Accounting Claims in the amount of $6,986,478.59. Motion carried. Claims to be sent to the Department of Finance.

32. Old Business:

None.

33. New Business:

None.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM
TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
LIN WILSON, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mike Fruchey, Transportation Engineering Services; Jim Howard, City Law Department; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic, Ethel Morgan, and Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Al Lichtsinn, Street Light Engineering;

1. Approval of Board of Stormwater Management Minutes of March 27, 2002;
Lin Wilson moved approval of Board of Stormwater Management Minutes of March 27, 2002. Motion carried. Minutes approved.

2. Approval of Professional Services Agreement between the City of Fort Wayne and Hannum, Wagle & Cline Engineering for design of the Standish Drive, Capitol to Pettit Stormwater System Improvement. The cost of services to be provided under this agreement is not-to-exceed $17,200.00.

   Mike Thornson, Planning & Design said that the purpose and intent of this project is to alleviate standing water along and through the right-of-way area of the 4600 block of Standish Drive (between Capitol Drive and Pettit Avenue), by means of new storm sewer construction and property roadside swale grading. Conceptual plans estimate the installation of approximately 1030 feet of 12-inch diameter storm sewer, part extending south from the existing storm sewer system at Capitol Drive and part extending north from the existing system at Pettit Avenue. Appurtenant structures such as inlets, driveway culverts will be included.
   Lin Wilson moved approval of Professional Services Agreement between the City of Fort Wayne and Hannum, Wagle & Cline Engineering for the design of the Standish Drive, Capitol to Pettit Stormwater System Improvement. Motion carried. Copy to be herein incorporated. Notice to proceed to be sent.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Lin Wilson, Member

ATTEST: Carolyn S. Newport, Clerk

NOTICE OF SPECIAL BOARD OF PUBLIC WORKS MEETING

A special meeting of the Board of Public Works will be held on Friday, April 5, 2002 at 11:00 a.m. in the Omni Room, Room 250 of the City-County Building for the purpose of opening bids for Improvement Resolution #6833-02, Resurfacing Pkg. A-02 and Improvement Resolution # 6863-02, Resurfacing Pkg. 1-02.

Carolyn S. Newport, Clerk
Board of Public Works

April 3, 2002

APRIL 5, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 11:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: Ted Rhinehart, John Suarez, and Carolyn Newport, BOPW; Charles Bailey, Contract Compliance.

1. **RECEIVE BIDS:** Improvement Resolution #6833-02, Resurfacing Pkg. A-02;

BROOKS CONST.	$770,190.25
BUNN INC.	779,202.15
E & B PAVING	744,212.45

ENG. EST. - $819,564.00
Transportation Engineering Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6863-02, Resurfacing Pkg. 1-02;

ALL STAR CONST.	$667,839.00
BROOKS CONST.	566,065.65
BUNN INC.	557,812.60
E & B PAVING	588,446.00
WAYNE ASPHALT	. 640,914.65

ENG. EST. - $597,902.00
Transportation Engineering Services to tabulate and report.

Meeting adjourned at 11:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: _____
Carolyn S. Newport, Clerk

APRIL 10, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Jim Howard, City Law Department; Mark Gensic, Paul Powers, Mick Hicks, Judy Cleland, Pat Callahan, and Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services.

1. **AWARD:** Improvement Resolution #281-02, Lima Valley Addition to Robert Henry Corp. in the amount of $8,320.00. Contract Compliance concurs with this award;
   John Suarez moved approval of award for Improvement Resolution #281-02 to Robert Henry Corp. in the amount of $8,320.00. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

2. **AWARD:** Improvement Resolution #6833-02, Resurfacing Pkg. A-02 to E & B Paving in the amount of $744,212.45. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED:**
   John Suarez moved approval of award for Improvement Resolution #6833-02 to E & B Paving in the amount of $744,212.45. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

3. **AWARD:** Improvement Resolution #6856-02, Maple Grove: Calhoun St. to Lafayette St. to Hipskind Concrete Corp. in the amount of $126,172.40. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
   John Suarez moved approval of award for Improvement Resolution #6856-02 to Hipskind Concrete Corp. in the amount of $126,172.40. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. **AWARD:** Improvement Resolution #6861-02, Melrose Avenue: Edith Ave. to Poinsette Dr. to All Star Construction in the amount of $82,684.00. Contract Compliance concurs with this award **PRIOR APPROVAL REQUESTED.**
   John Suarez moved approval of award for Improvement Resolution #6861-02 to All Star Construction in the amount of $82,684.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6863-02, Resurfacing Pkg. 1-02 to Bunn Inc. in the amount of $557,812.60. Contract Compliance concurs with this award;
   John Suarez moved approval of award for Improvement Resolution #6863-02 to Bunn Inc. in the amount of $557,812.60. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. **AWARD:** Improvement Resolution #6870-02, Capitol Avenue: Woodsdale Ln. to Maple Grove Avenue to Bunn Excavating, Inc. in the amount of $156,408.50. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
John Suarez moved approval of Improvement Resolution #6870-02 to Bunn Excavating, Inc. in the amount of $156,408.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. Approval of Board of Public Works Meeting Minutes of April 3, 2002 and April 5, 2002;
John Suarez moved approval of Board of Public Works Meeting Minutes of April 3, 2002 and April 5, 2002. Motion carried. Minutes approved.

8. **RESOLUTION** approving right-of-way franchise agreement between the City of Fort Wayne and Taylor University of Fort Wayne allowing the Company to install underground fiber optics and telephone cables on a portion of 800 and 900 blocks of West Rudisill, north side parkstrip, and crossing under Indiana. The Right-of-Way Franchise Committee recommends approval. They have requested that the annual fees be waived;
John Suarez moved approval of RESOLUTION approving right-of-way franchise agreement between the City of Fort Wayne and Taylor University of Fort Wayne allowing the Company to install underground fiber optics and telephone cables on a portion of 800 and 900 blocks of West Rudisill, north side parkstrip, and crossing under Indiana and for the fees to be waived. Motion carried. Copy to be placed on file in vault.

9. **IMPROVEMENT RESOLUTION #6836-02,** Miscellaneous Construction Package 6-A-02;

   Ted Rhinehart explained that this improvement is for the following:

   South side of E. Rudisill: Smith to Hanna – sidewalk improvements.
   Plaza Drive – sidewalks, drive approach & ADA ramps at the following addresses – 4146, 4140, 4132, 4126, 4137, 4129.
   Central Drive – sidewalk & drive approaches at the following addresses – 3925, 4035, 4101, 4129, 4217, 4219.
   West side of Winter Street: 4400 – 4600 block; curb, sidewalk, drive approaches, ADA curb ramps, mulch and seeding restoration.
   John Suarez moved approval of Improvement Resolution #6836-02. Motion carried. Copy to be herein incorporated. Bids to be received on 5/1/02.

10. **IMPROVEMENT RESOLUTION #6880-02,** Woodhurst Addition Phase I;

    Ted Rhinehart explained that this improvement is for the following.

    Fairfax Avenue from South Wayne Avenue to Fairfield Avenue by reconstructing cement concrete street, driveways, ADA ramps, and drainage improvements. South Wayne Avenue from Pettit Avenue to Woodhurst Blvd. by spot repairs of cement concrete street and driveways.
    John Suarez moved approval of Improvement Resolution #6880-02. Motion carried. Copy to be herein incorporated. Bids to be received on 5/8/02.

11. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Engineering Services of improvements to State Blvd. & Wells Street Intersection. Compensation for services performed shall be a not-to-exceed fee of $211,276.38 funded through CEDIT (20%) AND Federal-Aid (80%). City Engineering recommends approval;

Ted Rhinehart said that the proposed improvements will consist of new pavement, concrete curbs, sidewalks, storm sewers and traffic signal.
John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Construction Engineering Services of improvements to State Blvd. & Wells Street Intersection. Motion carried. Copy to be placed on file in vault.

12. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the quarterly groundwater monitoring of improvements to Traffic Engineering Facility. Proposed improvements include: measuring and sampling groundwater at 6 monitoring wells, testing and reporting. Compensation for services performed shall be not-to-exceed fee of $5,424.00. City Engineering recommends approval;

David Ross, City Engineer said that the quarterly work scope involves measuring groundwater depth at each well location, sampling groundwater for petroleum indicated, and five field parameters to determine attenuation rate. The field parameters include pH, conductivity, oxidation-reduction potential, ferrous iron, and dissolved oxygen.
John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the quarterly groundwater monitoring of improvements to Traffic Engineering Facility. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental monitoring of improvements to Soil Treatment Cells at Lake Avenue. Proposed improvements include: sampling, testing, maintenance contractor supervisions, and reporting. Compensation for services performed shall be not-to-exceed fee of $1,615.00. City Engineering recommends approval;

David Ross stated that the above scheduled includes three sampling events. The first includes surface water sampling so that cell dewatering may proceed. The remaining two sampling events include soil cell sampling.
John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental monitoring of improvements to Soil Treatment Cells at Lake Avenue. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the quarterly groundwater monitoring of improvements to Old Fire Station 8/Allen Co. Probation Office. Proposed improvements include sampling groundwater, testing and reporting to attempt to close site from further monitoring under a natural attenuation or plume stability approach. Compensation for services performed shall be a not-to-exceed fee of $3,372.00. City Engineering recommends approval.

David Ross, City Engineer, said that groundwater samples were last collected in September 1998.
John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the quarterly groundwater monitoring of improvements to Old Fire Station 8/Allen Co. Probation Office. Motion carried. Copy to place on file in vault. Notice to proceed to be sent.

15. Approval of Construction Contract between the City of Fort Wayne and Garcia Concrete Const., Inc. for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs in the amount of $11,150.00;
John Suarez moved approval of Construction Contract between the City of Fort Wayne and Garcia Concrete Const., Inc. for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs in the amount of $11,150.00. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract between the City of Fort Wayne and Newell Construction Co., Inc. for Improvement Resolution #6849-02, Riverside Avenue: Spy Run to Griswold in the amount of $54,470.00;
John Suarez moved approval of Construction Contract between the City of Fort Wayne and Newell Construction Co., Inc. for Improvement Resolution #6849-02, Riverside Avenue: Spy Run to Griswold in the amount of $54,470.00. Motion carried. Notice to proceed to be sent.

17. **IMPROVEMENT RESOLUTION #584-1998** for Bob Arnold/Northside Park Area Storm Sewer Project Contracts A1 & A2;

Pat Callahan, Planning & Design said that this Resolution orders the Construction of Contract A1 that begins on Pleasant Avenue south of State Street with construction of a new 54" concrete storm sewer, then the project proceeds on Pleasant to the Northside Park Area. Storm sewers and associated manholes and inlets will be installed in the following streets: Pleasant Ave., Fricke Ave., Nettie Ave., Stadium Dr., Eade Dr., and Charlotte Ave. A total of approximately 6,850 linear feet of pipe ranging in size from 12" to 54" inches is proposed.

And, orders the Construction of Contract A2 that begins on Charlotte Avenue between Parnell and Kentucky Avenue with construction of new 42" concrete storm sewer, then proceeds east on Charlotte Ave. to east side of the following streets: Charlotte Ave., Kentucky Ave., Clara Ave., Dodge Ave., Lynn Ave., and Crescent Ave. A total of approximately 6,800 linear feet of pipe ranging in size from 12" to 42" is proposed.
John Suarez moved approval of Improvement Resolution #584-1998. Motion carried. Copy to be herein incorporated.

18. **IMPROVEMENT RESOLUTION #664-2002,** Water Pollution Control Plant Sluice Gate Rehabilitation;

Judy Cleland, Planning & Design said that this Resolution is for the construction of sluice gate rehabilitation to ten sluice gates and four new gate operator motor control centers at the WPCP Sluice Gate Rehabilitation. This project is being rebid from last year.
John Suarez moved approval of Improvement Resolution #664-2002. Motion carried. Copy to be herein incorporated. Bids to be received on 5/8/02.

19. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the Osage Street Combination Sewer Rehabilitation. The not-to-exceed fee is $27,318.56. Planning & Design Services recommend approval;

Mike Hicks, Planning & Design apprised the Board of the following: through the review of the medium diameter televising, 1,070 lf of the 24" VCP combination sewer under Osage Street were found to be in a state of collapse. The existing VCP pipe is quartered and portions of the line

could not be video taped. An Engineering Report will be done to televise and evaluate the existing pipe and a method of rehabilitation will be recommended.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the Osage Street Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the Bevel Avenue Combination Sewer Rehabilitation. The not-to-exceed fee is $18,522.11. Planning & Design Services recommend approval;

    Mike Hicks, Planning & Design apprised the Board of the following: through the review of the medium diameter televising, 680 lf of the 18" VCP combination sewer under Bevel Avenue were found to be in a state of collapse. The existing VCP pipe is quartered and portions of the line could not be video taped. An Engineering Report will be done to televise and evaluate the existing pipe and a method of rehabilitation will be recommended.
    John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the Bethel Avenue Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Professional Engineering Services Agreement between the City of Fort Wayne and HNTB Corporation for the design of the NW Booster Station No. 2. The not-to-exceed fee for this contract is $75,000.00. Planning & Design Services recommend approval;

    Paul Powers, Planning & Design, said that the City has determined the present Northwest Booster Station located on Lima Road north of Washington Center Road lacks the ability to furnish adequate supply and pressure of potable water to the Northwest High Pressure Zone of the water distribution system. The City desires a new supplementary booster station be designed and constructed to augment the flow of potable water to the Northwest High Pressure Zone during high demand and emergency conditions. The City, using their hydraulic model, will provide a suggested location and pipe routing plan for the new booster station.

    The City desires the station to have a minimum design flow of 1500 gallons per minute. The station will be an above or below ground, pre-fabricated structure with a single access door/hatch surrounded by a chain link security fence. The booster station will be accessed by a paved drive extending from the end of the current cul-de-sac on Red Man Drive.
    John Suarez moved approval of Professional Engineering Services Agreement between the City of Fort Wayne and HNTB Corporation for the design of the NW Booster Station No. 2. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between the City of Fort Wayne and Woolpert LLP for 2002 Temporary Flow Monitoring Services. The not-to-exceed fee for this contract is $150,000.00. Planning & Design Services recommend approval;

    Pat Callahan, Planning & Design, that that the work is necessary to plan capacity improvement projects that affect service to existing customers and provide capacity of new development.
    John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Woolpert LLP for 2002 Temporary Flow Monitoring Services. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Amendment No. 2 to Professional Services Agreement signed April 5, 2000 between the City of Fort Wayne Board of Public Works and HNTB Corp. for the Filter Backwash System Modification Project at the Three
Rivers Water Filtration Plant. Engineering Support Services recommend approval;

Ron Sheppard, Engineering Support Services said that this Amendment is for periodic inspection of the backwash tank surface preparation, priming, and finish coating (interior and exterior), piping demolition and replacement, determine extend of steel shell repair/replacement as necessary, and prepare Field Reports of contractor's work observed during the day of the visit. Mr. Sheppard said that the increase is approximately $8,700.00.
John Suarez moved approval of Amendment No. 2 to Professional Services Agreement signed April 5, 2000 between the City of Fort Wayne Board of Public Works. Motion carried. Copy to be herein incorporated. Notice to proceed to be sent.

24. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Sanitary Sewer Contract #2001-S-45, Saddlebrook Section I as an integral part of the City's sanitary sewer system;
John Suarez moved to accept the work performed by Fox Contractors on Sanitary Sewer Contract #2001-S-45 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2002-S-01, Morgan Creek Offsite – Bass Road Sewer as an integral part of the City's sanitary sewer system;
John Suarez moved to accept the work performed by Kurtz Excavating on Sanitary SewerContract #2002-S-01. Motion carried. Acceptance letter to be sent.

26. Old Business:

None.

27. New Business:

Approval of Construction Contract #659-02, WPCP Aeration Control Panel Phase Out, between the City of Fort Wayne and Service Electric in the amount of $524,437.00. **PRIOR APPROVAL REQUESTED;**
John Suarez moved approval of Construction Contract #659-02, WPCP Aeration Control Panel Phase Out, between the City of Fort Wayne and Service Electric in the amount of $524,437.00. Motion carried. Contract to be sent to City Council.

Approval of Escrow Agreement between the City of Fort Wayne and Service Electric for Improvement Resolution #659-02, WPCP Aeration Control Phase Out. The escrow agent is The Campbell & Fetter Bank.

John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Service Electric for Improvement Resolution #659-02. Motion carried. Copy of Escrow Agreement to be sent to the Escrow Agent.

Meeting adjourned at 9:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:35 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Jim Howard, City Law Department; Mark Gensic, Paul Powers, Mick Hicks, Judy Cleland, Pat Callahan, and Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of April 3, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of April 3, 2002. Motion carried. Minutes approved.

2. Approval of **IMPROVEMENT RESOLUTION #640-2002,** Farwood Avenue – Hystone Drive Storm Sewer Improvement Project and approving the appropriation and condemnation of necessary easements;

Mike Thornson, Planning & Design apprised the Board of the following; The stormwater system improvements proposed under this agreement will be developed as two phases in accordance with the Stormwater Utility's 2002 and 2003 capital budgets; the smaller west end improvement will be designed and constructed in 2002; both phases will be designed in 2002, but only the west phase will be bid and constructed in 2002; the balance of improvements through the central and east portion of the neighborhood will not bid and constructed until 2003.

A hearing will be scheduled for the approving the appropriation and condemnation of necessary easements.
John Suarez moved approval of Improvement Resolution #640-2002. Motion carried. Copy to be herein incorporated.

3. Approval of Professional Services Agreement between the City of Fort Wayne and The Schneider Corporation for the design of the Ventura-Farwood Neighborhood Stormwater Improvement Projects. The cost for services to be provided under this agreement is not-to-exceed $86,060.00. Planning & Design Services recommend approval;

Mike Thornson, Planning & Design apprised the Board of the following; the purpose and intent of this project is to alleviate standing water along and through the right-of-way areas of Ventura Lane, From Decatur Road to South Anthony Blvd, and the 1000-1500 blocks of Farwood Avenue by means of new storm sewer construction and by improvements to roadside swales and driveway culverts.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and The Schneider Corporation for the design of the Ventura-Farwood

Neighborhood Stormwater Improvement Projects. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

4. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Storm Sewer Contract #2001-S-13, Saddlebrook Section I Storm Sewer as an integral part of the City's storm drainage system;
John Suarez moved to accept the work performed by Fox Contractors on Storm Sewer Contract #2001-S-13. Motion carried. Acceptance letter to be sent.

5. Old Business:

None.

6. New Business:

None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

April 10, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

Present: Ted Rhinehart, John Suarez, & Carolyn Newport, BOPW; Jeff Grogg, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. **AWARD:** Improvement Resolution #6870-02, Capitol Avenue: Woodsdale Lane to Maple Grove Ave. to Bunn Excavating, Inc. in the amount of $156,408.50. **PRIOR APPROVAL REQUESTED;**
John Suarez moved approval of award for Improvement Resolution #6870-02 to Bunn Excavating, Inc. in the amount of $156,408.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

2. Approval of General Accounting Claims in the amount of $3,180,257.68;
John Suarez moved approval of General Accounting Claims in the amount of $3,180,257.68. Motion carried. Claims to be sent to the Department of Finance.

3. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #6755-02, Corwin Lane: Edgeknoll Lane to Edgeknoll Lane.

Jeff Grogg, Project Engineer explained the scope of the project.

Ted Rhinehart asked for questions from the floor.

Min Luin of 119 Corwin Lane inquired about financial assistance since he is unemployed.

Ted Rhinehart said that he would have someone to contact the Council Representative in that district to see if any funds would be available.

Kathleen Beckmann of 417 Corwin said that a stepping stone was uprooted and needs to be repaired.

It was reported that there were scratches from vandalism from 417-420 Corwin.

Jeff Grogg stated that he would check into these matters.
John Suarez moved to confirm Assessment Roll for Improvement Resolution #6755-02. Motion carried. Assessments to be sent to the property owners.

Hearing adjourned at 10:20 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

April 10, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, John Suarez, Carolyn Newport, BOPW; Jeff Grogg Transportation Engineering Services.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #6802-01, Reserve Line Road: Maywood Circle to Lakewood Drive.

   Jeff Grogg explained the scope of the project.

   Marj Enders explained the Barrett Law process.
   John Suarez moved to confirm Assessment Roll for Improvement Resolution #6802. Motion carried. Assessments to be sent.

Hearing adjourned at 10:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

APRIL 17, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM
TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Mike Fruchey, Richard Knappenberger, Matt Gray, Brian Kiess, Kevin Okleshen, and Gary Ainslie, Transportation Engineering Services; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Service; Charles Bailey & Carl Wilson, Contract Compliance.

1. **RECEIVE BIDS:** Improvement Resolution #6859-02, Packard - South Wayne to Indiana;

ALL STAR CONST.	$56,192.00
BROOKS CONST.	$59,289.75
HIPSKIND CONCRETE	$56,084.70
WAYNE ASPHALT	$55,636.75

Eng. Est. - $54,149.60

Ted Rhinehart said that Transportation Engineering Services had requested to remove all of the bids to be received this day to tabulate and report their recommendation under new business.

2. **RECEIVE BIDS:** Improvement Resolution #6872-02, Treverton Drive (7221-7209);

GARCIA CONCRETE	$30,237.00
HIPSKIND CONCRETE	$36,816.50
KEY CONCRETE	$37,155.00

Eng. Est. - $24,884.50
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6873-02, Trier Ridge Park: Debeney Drive & Verona Drive;

ALL STAR CONST.	$85,190.00
BROOKS CONST.	$95,785.75
HIPSKIND CONCRETE	$93,776.30
WAYNE ASPHALT	$87,244.00

Eng. Est. - $101,981.50
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6874-02, Colonial Heritage Addition;

BROOKS CONST.	$105,300.00
HIPSKIND CONCRETE	$109,758.70
NEWELL CONST.	$ 89,269.50

Eng. Est. - $84,141.50
Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6877-02, Curb Ramp Pkg. 2;

   KEY CONCRETE $112,178.00
   Eng. Est. - $103,166.00
   Transportation Engineering Services to tabulate and report.

6. Approval of Board of Public Works Minutes of April 10, 2002 and Final Hearing Minutes of April 10, 2002 for Improvement Resolution #6755-01, Corwin Lane, Edgeknoll to Edgeknoll Lane and Improvement Resolution #6802-01, Reserve Line Road: Maywood Circle to Lakewood Drive;
   John Suarez moved approval of Board of Public Works Minutes of April 10, 2002 and Final Hearing Minutes of April 10, 2002 for Improvement Resolution #6755-01, Corwin Lane, Edgeknoll to Edgeknoll Lane and Improvement Resolution #6802-01, Reserve Line Road: Maywood Circle to Lakewood Drive. Motion carried. Minutes approved.

7. Approval of Supplemental Agreement between the City of Fort Wayne and DLZ of Indiana, LLC to provide professional services for the additional design services of Spring Street. Proposed improvements include: change in scope of work to remove asphalt overly, relocate sidewalk reconstruction for a section of the street between Sherman and Wells. Compensation for services performed shall be a lump sum fee of $5,500.00. City Engineering recommends approval;

   David Ross, City Engineer, said that the revisions in the above-mentioned Agreement incurred 53 hours of additional drafting and 46 hours of additional engineering effort.
   John Suarez moved approval of Supplemental Agreement between the City of Fort Wayne and DLZ of Indiana, LLC to provide professional services for the additional design services of Spring Street. Motion carried. Copy to be placed on file in vault.

8. Approval of Revised Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the design of improvements to the Landing, Phase I. Proposed improvements include the limits of the project increased to include west side of Harrison St. from north side of Old Wayne Hardware Bldg. to new walk for County Facility and the east side of Harrison Street from Columbia Street to alley south. Compensation for services performed shall be not-to-exceed fee of $20,700.00 funded through the Redevelopment Account. City Engineering recommends approval;

   David Ross, City Engineer apprised the Board that also included is an existing landscape strip behind the sidewalk (between the walk and parking lot). The tree replacement for the Bonar Building (shall be included). The east side of Harrison Street from Columbia Street to the alley south of Columbia Street (not including the alley approach).
   John Suarez moved approval of Revised Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the design of improvements to the Landing, Phase I. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. **IMPROVEMENT RESOLUTION #6866-02,** South Anthony Blvd. from Paulding Road to Fairfax Ave.;

David Ross, City Engineer said that this improvement is for cement concrete pavement crack and seat; curb and driveway approach removal and reconstruction; bituminous overlay; seeding restoration and other related roadway work.
John Suarez moved approval of Improvement Resolution #6866-02. Motion carried. Bids to be received on 5/15/02.

10. **IMPROVEMENT RESOLUTION #6881-02,** Allendale Drive: Belle Vista Blvd. to Gilbert Drive;

Mike Fruchey, said that this improvement is for reconstruction of the existing roadway with new asphalt pavement, new concrete curbing and drive approaches as needed, and by rehabilitating the existing storm sewer structures, and see, mulch, and restoration.
John Suarez moved approval of Improvement Resolution #6881-02. Motion carried. Public Hearing to be scheduled.

11. Approval of recommendation received from Transportation Engineering Services to rescind all action on Improvement Resolution #6864-02, Alley between South Wayne & Indiana between Packard & Kinsmoor;
John Suarez moved approval of recommendation received from Transportation Engineering Services to rescind all action on Improvement Resolution #6864-02, Alley between South Wayne & Indiana between Packard & Kinsmoor. Motion carried. All action rescinded.

12. Approval of Construction Contract #6787-01 between Brooks Construction Co., Inc. and the City of Fort Wayne for Evard Road and St. Joe Road Intersection in the amount of $184,947.65; in the amount of $184,947.
John Suarez moved approval of Construction Contract #6787-01 between Brooks Construction Co., Inc. and the City of Fort Wayne for Evard Road and St. Joe Road Intersection in the amount of $184,947.65. Motion carried. Contract to be sent to City Council.

13. Approval of Construction Contract #6833-02 between E & B Paving and the City of Fort Wayne for Resurfacing Package A-2002 in the amount of $744,212.45;
John Suarez moved approval of Construction Contract #6833-02 between E & B Paving and the City of Fort Wayne for Resurfacing Package A-2002 in the amount of $744,212.45. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #6855-02 between Key Concrete, Inc. and the City of Fort Wayne for Curb Ramp Package 4-2002 in the amount of $92,330.00;
John Suarez moved approval of Construction Contract #6855-02 between Key Concrete, Inc. and the City of Fort Wayne for Curb Ramp Package 4-2002 in the amount of $92,330.00. Motion carried. Notice to proceed to be sent.

15. Approval of Construction Contract #6862-02 between Key Concrete, Inc. and the City of Fort Wayne for Miscellaneous Construction Package 4-A-2002 in the amount of $74,769.00;
John Suarez moved approval of Construction Contract #6862-02 between Key Concrete, Inc. and the City of Fort Wayne for Miscellaneous Construction Package 4-A-2002 in the amount of $74,769.00. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract #6868-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Resurfacing Package 2-2002 in the amount of $1,283,986.70;

John Suarez moved approval of Construction Contract #6868-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Resurfacing Package 2-2002 in the amount of $1,283,986.70. Motion carried. Contract to be sent to City Council.

17. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Benchmark Construction LLC on Improvement Resolution #6722-00, Alley Reconstruction: Beaver to Lexington as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Benchmark Construction LLC on Improvement Resolution #6722-00. Motion carried. Acceptance letter to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Camp Dresser & McKee for development of a Water Quality Data Assessment Framework. The budget for this project is not-to-exceed $39,000.00;

Ted Rhinehart stated that the primary objective is to compile and analyze existing data and recommend a framework for on-going assessments of water quality conditions and trends.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Camp Dresser & McKee for development of a Water Quality Data Assessment Framework. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ for Private Contract Construction Engineering/Inspection Services for the Water Resources Engineering Department;

Ron Sheppard said that this is an annual contract and DLZ has performed these services in the past.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ for Private Contract Construction Engineering/Inspection Services for the Water Resources Engineering Department. Motion carried. Copy to be placed on file in vault.

20. Approval of Sewer Contract #2002-S-10 between Reinig Development LLC and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Sandy Pointe Commercial North. This project is outside the City. The contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, stated that said project would include 1,099.49± L.F. of 8" PVC Pipe.
John Suarez moved approval of Sewer Contract #2002-S-10 between Reinig Development LLC and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Sandy Pointe Commercial North. Motion carried. Sanitary sewer system to be constructed.

21. Approval of Water Contract #2002-W-05 between Reinig Development LLC and the Fort Wayne Water Utility to construction water main systems to serve Sandy Pointe Commercial North. This project is outside the City (PRIVATELY FUNDED);

Jack Suter, Development Services, said that said project would include 1232± L.F. of 12" Ductile Iron Water Main.

John Suarez moved approval of Water Contract #2002-W-05 between Reinig Development LLC and the Fort Wayne Water Utility to construction water main systems to serve Sandy Pointe Commercial North. Motion carried. Water main systems to be constructed.

22. Approval of Amendment to Water Contract #2002-W-02 between the Board of Public Works and the Bass Road Investment Group;

Jack Suter, Development Services, said that the language of Paragraph 8 should read:

City shall reimburse Investor for the Balance from the monies deposited in the cumulative fund for those fees collected in Paragraph 6 semi-annually. City shall further pay Investor interest annually as more specifically defined in paragraph 7 above. City has the option of paying the entire unpaid balance at any time it chooses without incurring any penalty. In no instance shall City be required to make payments of Balance and interest in excess of the balance of the cumulative fund.

John Suarez moved approval of Amendment to Water Contract #2002-W-02 between the Board of Public Works and the Bass Road Investment Group. Motion carried. Amendment to be placed on file in the Board of Public Works.

23. Approval of Construction Contract #583-1998 between All Star Construction & Excavating, Inc. and the City of Fort Wayne for Forest Avenue Storm Sewer Improvements in the amount of $1,198,601.50;

John Suarez moved approval of Construction Contract #583-1998 between All Star Construction & Excavating, Inc. and the City of Fort Wayne for Forest Avenue Storm Sewer Improvements in the amount of $1,198,601.50. Motion carried. Contract to be sent to City Council.

24. Approval of Construction Contract #645-2002 between All Star Construction & Excavating, Inc. and the City of Fort Wayne for East Shore Drive Sanitary Sewer in the amount of $49,832.80;

John Suarez moved approval of Construction Contract #645-2002 between All Star Construction & Excavating, Inc. and the City of Fort Wayne for East Shore Drive Sanitary Sewer in the amount of $49,832.80. Motion carried. Notice to proceed to be sent.

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors, Inc. on Water Contract #2001-W-20, Lois Lane Water Main Extension as an integral part of the City's water distribution system;

John Suarez moved to accept the work performed by Frontier Contractors, Inc. on Water Contract #2001-W-20. Motion carried. Acceptance letter to be sent.

26. Approval of General Accounting Claims in the amount of $5,945,216.67;

John Suarez moved approval of General Accounting Claims in the amount of $5,945,216.67. Motion carried. General Accounting Claims to be sent to the Department of Finance.

27. Approval of Barrett Law Claims in the amount of $131,787.37;

John Suarez moved approval of Barrett Law Claims in the amount of $131,787.37. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

28. Old Business:

None.

29. New Business:

Mike Fruchey, Transportation Engineering Services said that bid tabulations were made on the following projects and he recommended that the contracts be awarded as follows:

Res. #6859-02, Packard – South Wayne to Indiana to Wayne Asphalt - $55,636.75
Res. #6872-02, Treverton Drive (7221-7209) to Garcia Concrete - $29,179.00
Res. #6873-02, Trier Ridge Park: Debeney Dr. & Verona to All Star - $85,190.00
Res. #6874-02, Colonial Heritage Addn. – Newell Const. - $89,269.50
Res. #6877-02, Curb Ramp Pkg. 2 – Key Concrete - $112,178.00
John Suarez moved approval of award for the above-mentioned projects to said contractors. Notices of award to be sent. Transportation Engineering Services to prepare contracts.

Approval of Amended Sewer Contract #2001-S-55 between Millennium Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Mallard's Lake On-Site.

Mary Jane Slaton said that this Amended Contract more correctly identifies the work actually carried out with regard to sewer development.
John Suarez moved approval of Amended Sewer Contract #2001-S-55 between Millennium Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Mallard's Lake On-Site. Motion carried. Sanitary sewer system to be constructed.

Approval of Construction Contract #6851-01 between Hipskind Concrete Corp. and the City of Fort Wayne for Main Street: 600 block North side (sidewalks) IN THE AMOUNT OF $34,435.00
John Suarez moved approval of Construction Contract #6851-01 between Hipskind Concrete Corp. and the City of Fort Wayne for Main Street: 600 block North side (sidewalks) IN THE AMOUNT OF $34,435.00. Motion carried. Notice to proceed to be sent.

Approval of Construction Contract #6848-02, North Harrison Street: Third Street to Sixth Street in the amount of $84,790.00;
John Suarez moved approval of Construction Contract #6848-02, North Harrison Street: Third Street to Sixth Street in the amount of $84,790.00. Motion carried. Notice to proceed to be sent.

Meeting adjourned at 9:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

Denise Porter Ross
member

APRIL 17, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM
TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Mike Fruchey, Richard Knappenberger, Matt Gray, Brian Kiess, Kevin Okleshen, and Gary Ainslie, Transportation Engineering Services; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard, Engineering Support Service; Charles Bailey & Carl Wilson, Contract Compliance.

1. Approval of Stormwater Management Minutes of April 10, 2002;
John Suarez moved approval of Stormwater Management Minutes of April 10, 2002. Motion carried. Minute approved.

2. Approval of Storm Sewer Contract #2002-ST-01 between Anchor Associates and the Board of Stormwater Management to construct a local storm drainage system to serve Walgreens Drug Storm #6868 (State Street & Wells Street) (PRIVATELY FUNDED);

   Jack Suter, Development Services, said that stormwater system would consist of 179± L.F. of 12-inch ductile iron pipe and two storm sewer manholes.
   John Suarez moved approval of Storm Sewer Contract #2002-ST-01 between Anchor Associates and the Board of Stormwater Management to construct a local storm drainage system to serve Walgreens Drug Storm #6868 (State Street & Wells Street). Motion carried. Storm sewer system to be constructed.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

April 17, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk
PRESENT: All Members & Clerk, Brian Kiess, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. PRELIMINARY Hearing to confirm Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road, reconstruction the existing roadway with new asphalt pavement; new concrete curbing and drive approaches as needed, and by rehabilitating the existing storm sewer structures.
John Suarez moved to confirm Improvement Resolution #6871-02. Motion carried. REMONSTRANCE PERIOD UP MON. 4/29/02 AT 5:00 PM.

Hearing adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

Denise Porter Ross member

April 17, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Memers & Clerk, Vic Bobay, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. FINAL Hearing to confirm Assessment Roll for Improvement Resolution #6757-02, Sherborne Blvd.: State Blvd. to Hastings Ave. Ph. I, construction of new curb, street reconstruction, drive approaches and misc. drainage improvements.
John Suarez moved to confirm Assessment Roll for Improvement Resolution #6757-02. Motion carried. Assessments to be sent.

Hearing adjourned at 10:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

Dennis Porter Ross
member

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

NOTICE OF CHANGE OF MEETING DATE

The regular weekly meeting of the Board of Public Works will not be held Wednesday, April 24, 2002. The next scheduled meeting will be held on May 1, 2002 at 9:00 a.m. in the Omni Room, Room 250 of the City-County Building.

Carolyn S. Newport, Clerk
Board of Public Works

April 19, 2002

MAY 1, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Member & Clerk Protem, David Ross, City Engineer, Paul Powers, Matthew Wirtz, Mike Hicks, Mike Thornson, and Mark Gensic, Planning and Design Services, Jim Riemke, Street Light Engineering, Mario Trevino and Gary Ainsle, TES, Carl Wilson and Chuck Bailey, Contract Compliance, Jack Suter and Mary Jane Slaton, Development Services, Jim Howard, City Law Department, Greg Meszaros, Water Resources, Mark Gensic, Planning and Design Services, Ron Sheppard and Bill Maxwell, Engineering Support Services, Cathy Robb, Flood Control. Carolyn S. Newport, Clerk, absent.

1. **RECEIVE BIDS:** Improvement Resolution #670-02, Sanitary Sewer Improvements, Independence Driver Interceptor;

BUNN INC	$393,732.00
FLEMING EXCAVATING	$272,074.75
GEIGER EXCAVATING	$249,241.80
LAND INC	$277,472.00

Eng. Est. - $452,270.00
Planning and Design Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6836-02, Miscellaneous Construction Package 6-A-02;

HIPSKIND CONCRETE	$86,177.70
KEY CONCRETE	$77,975.00

Eng. Est. - $65,158.00
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6854-02, Sherwood Terrace West;

ALL STAR CONSTRUCTION	$126,585.00
BROOKS CONSTRUCTION	$141,000.00
HIPSKIND CONCRETE	$113,568.75
WAYNE ASPHALT	$132,969.25

Eng. Est. - $141,389.50
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6860-02, Prange Avenue: Tacoma Avenue to Beaver Avenue;

ALL STAR CONSTRUCTION	$81,018.00
BUNN INC	$86,470.75
BROOKS CONSTRUCTION	$85,000.00
HIPSKIND CONCRETE	$72,456.50
WAYNE ASPHALT	$81,855.50

Eng. Est. - $92,805.80

Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of April 17, 2002 and Public Hearing Minutes of April 17, 2002 for Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road and Improvement Resolution #6757-02, Sherborne Blvd.: State Blvd to Hastings Ave. Ph. I;

John Suarez moved approval of Board of Public Works Minutes of April 17, 2002 and Public Hearing Minutes of April 17, 2002. Motion carried. Board minutes and Public Hearing Minutes approved.

6. Change Order #1 received from Accent Lawn Manicure Service for Contract for Mowing and Weed Control Services for the Flood Control Project increasing the contract price by $20,778.00. The original contract price was $43,965.00. The new contract price including this change order is $64,743.00;

Cathy Robb, Flood Control, stated this change order is to the last phase of the Flood Control Project that is now the City's responsibility to mow and keep the riprap free of vegetation. This last phase will add an additional 1.5 miles to the existing 7.2 miles of area to mow and remove vegetation.

Denise Porter-Ross moved approval of Change Order #1 received from Accent Lawn Manicure Service for Contract for Mowing and Weed Control Services for the Flood Control Project. Motion carried. Contract price to be increased.

7. Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks and Recreation whereas the City of Fort Wayne Board of Public Works agrees to allocate $6,378.30 from 1st District CEDIT Funds for improvements to the Weisser Park Little League baseball diamond;

John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks and Recreation whereas the City of Fort Wayne Board of Public Works agrees to allocate $6,378.30 from 1st District CEDIT Funds for improvements to the Weisser Park Little League baseball diamond. Motion carried. Copy to be place on file in vault.

8. Approval of Agreement between the City of Fort Wayne and the State of Indiana through the Indiana Department of Transportation to share in the development of improvements to State Boulevard and Wells Street Intersection. Proposed improvements include intersection reconstruction, adding turn lanes, storm sewers, street lighting, traffic control signal upgrade and other related roadway work. Total project cost is approximately $2,040,000 ($1,632,000 Federal; $408,000 City). City

share shall be funding through the CEDIT Account. City Engineering recommends approval;
Denise Porter-Ross moved Approval of Agreement between the City of Fort Wayne and the State of Indiana through the Indiana Department of Transportation to share in the development of improvements to State Boulevard and Wells Street Intersection. Motion carried. Copy to be placed on file in vault.

9. Approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design engineering of improvements to Pontiac Street and Wayne Trace Intersection. Proposed improvements include complete replacement of roadways to be reconfigured to create a roundabout on each side of railroad crossing and other related roadway work. Compensation for services performed shall be a lump sum fee of $148,800.00 funded through the Infrastructure Bond. City Engineering recommends approval;
Ted Rhinehart, Chairman, requested this item be tabled until next Board of Public Works meeting.

10. Approval of recommendation received from Transportation Engineering Services to accept Riveroak Drive as public right-of-way and part of the City of Fort Wayne's transportation system with certain conditions as listed in the memorandum;
John Suarez moved approval of recommendation received from Transportation Engineering Services to accept Riveroak Drive as public right-of-way and part of the City of Fort Wayne's transportation system with certain conditions as listed in the memorandum. Motion carried. Copy to be placed on file in vault.

11. **IMPROVEMENT RESOLUTION #6869-02,** Fairfield Avenue, South from Tillman Road to Fairwick Lane:
Dave Ross, City Engineer, explained the scope of the work.
Denise Porter-Ross moved approval of Improvement Resolution #6869-02, Fairfield Avenue, South from Tillman Road to Fairwick Lane. Motion carried. Copy to be herein incorporated. Notice to contractors to be published May 3, 2002.

12. **IMPROVEMENT RESOLUTION #6875-02,** Victoria Drive: Inwood Drive to Eastern Terminus;
Mario Trevino, Transportation Engineering Services, explained the scope of the work.
John Suarez moved approval of Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus. Motion carried. Copy to be herein incorporated. Preliminary Hearing to be scheduled for May 15, 2002.

13. **IMPROVEMENT RESOLUTION #6879-02,** Public Sidewalk Curb Ramps 2002 – Package 3;
Mario Trevino, Transportation Engineering Services, explained the scope of the work.
Denise Porter-Ross moved approval of Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002 – Package 3. Motion carried. Copy to be herein incorporated. Notice to contractors to be published May 3, 2002.

14. Approval of Construction Contract between All Star Construction & Excavating and the City of Fort Wayne for Improvement Resolution #6861-02, Melrose Avenue:

Edith Avenue to Poinsette Drive in the amount of $82,684.00;
John Suarez moved approval of Construction Contract between All Star Construction & Excavating and the City of Fort Wayne for Improvement Resolution #6861-02, Melrose Avenue: Edith Avenue to Poinsette Drive in the amount of $82,684.00. Motion carried. Notice to proceed to be sent to contractor.

15. Approval of Construction Contract between Bunn Excavating Inc. and the City of Fort Wayne for Improvement Resolution #6863-02, Resurfacing Package 1-2002 in the amount of $557,812.60;
John Suarez moved approval of Construction Contract between Bunn Excavating Inc. and the City of Fort Wayne for Improvement Resolution #6863-02, Resurfacing Package 1-2002 in the amount of $557,812.60. Motion carried. Contracts to be sent to City Council for approval.

16. Approval of Construction Contract between Bunn Excavating Inc. and the City of Fort Wayne for Improvement Resolution #6870-02, Capital Avenue: Woodsdale Lane to Maple Grove Avenue in the amount of $156,408.50;
John Suarez moved approval of Construction Contract between Bunn Excavating Inc. and the City of Fort Wayne for Improvement Resolution #6870-02, Capital Avenue: Woodsdale Lane to Maple Grove Avenue in the amount of $156,408.50. Motion carried. Contacts to be sent to City Council for approval.

17. Approval of Construction Contract between Newell Construction Co., Inc. and the City of Fort Wayne for Improvement Resolution #6874-02, Colonial Heritage Addition in the amount of $89,269.50;
John Suarez moved approval of Construction Contract between Newell Construction Co., Inc. and the City of Fort Wayne for Improvement Resolution #6874-02, Colonial Heritage Addition in the amount of $89,269.50. Motion carried. Notice to proceed to be sent to contractor.

18. Change Order #1 received from Wayne Asphalt & Construction Co. for Improvement Resolution #6834-02, Hobson Road: Lake Avenue to State Street increasing the contract price by $5,287.00. The original contract price was $331,100.64. The new contract price including this change order is $336,387.64;
Denise Porter-Ross moved approval of Change Order #1 received from Wayne Asphalt & Construction Co. for Improvement Resolution #6834-02, Hobson Road: Lake Avenue to State Street increasing the contract price by $5,287.00. The original contract price was $331,100.64. Motion carried. Contract price to be increased.

19. Approval of recommendation received from Street Light Engineering for Release of Retainage for Resolution #274-01, Imperial Gardens/Swathmore Neighborhood. Lights and Signals, Inc. is the contractor;
John Suarez moved approval of recommendation received from Street Light Engineering for Release of Retainage for Resolution #274-01, Imperial Gardens/Swathmore Neighborhood. Motion carried. Retainage to be released.

20. **IMPROVEMENT RESOLUTION #1100-02,** Charlotte Avenue Water Main Replacement;

Matthew Wirtz, Planning and Design services, explained the scope of work.
Denise Porter-Ross moved approval of Improvement Resolution #1100-02, Charlotte Avenue Water Main Replacement. Motion carried. Notice to contractors to be published May 3, 2002.

21. Approval of Revised Sewer Utility Rules and Regulations;
Ted Rhinehart, Chairman, requested this agenda item be tabled until the next Board of Public Works meeting.

22. Approval of Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe for the Water Resources Engineering Department Private Contract Construction Engineering/Inspection Services;
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe for the Water Resources Engineering Department Private Contract Construction Engineering/Inspection Services. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Professional Services Agreement between the City of Fort Wayne and Greeley and Hansen LLC for the engineering report of the Inwood Drive Combination Sewer Rehabilitation. Proposed work includes the engineering report for the design of the rehabilitation of approximately 300 lineal feet of 30" X 54" combination sewer. The contract amount for this report is a not-to-exceed amount of $18,400.00 with the design and construction to be completed by the end of 2002. Planning and Design Services recommends approval;
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Greeley and Hansen LLC for the engineering report of the Inwood Drive Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Professional Services Agreement between the City of Fort Wayne and Greeley and Hansen LLC for the engineering report of the Taylor Street Combination Sewer Rehabilitation. Proposed work includes the engineering report for the design of the rehabilitation of approximately 50 lineal feet of 72" brick combination sewer. The contract amount for this report is a not-to-exceed amount of $19,700.00 with the design and construction to be completed by the end of 2002. Planning and Design Services recommends approval;
John Suarez moved approval Professional Services Agreement between the City of Fort Wayne and Greeley and Hansen LLC for the engineering report of the Taylor Street Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Professional Services Agreement between the City of Fort Wayne and Quandt, Inc. for the design of the Mount Vernon Park Addition Water Main Replacement. Proposed project description consists of the replacement of existing water mains (approximately 7,300 LF) in Mount Vernon Park. Water mains will be replaced along the following street between Capitol and McKinnie: Smith, Oliver, Bowser, Holton, Senate, and Capitol. The contract amount for work performed is a not-to-exceed amount of $54,185.00. Planning and Design Services recommends approval;

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Quandt, Inc. for the design of the Mount Vernon Park Addition Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

26. Approval of Amendment No. 1 to Professional Services Agreement between the City of Fort Wayne and R.W. Armstrong Engineers for additional water and sewer master planning services in Cell 19 Water and Sewer Master Planning. The amendment is for an additional 6,250.00 and increases the not-to-exceed amount for this Contract to $43,250.00. Planning and Design Services recommends approval;
John Suarez moved approval of Amendment No. 1 to Professional Services Agreement between the City of Fort Wayne and R.W. Armstrong Engineers for additional water and sewer master planning services in Cell 19 Water and Sewer Master Planning. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

27. Approval of Sanitary Sewer Contract #2002-S-09 between Venture Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Section V. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-09 between Venture Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hawthorne Park Section V. Motion carried. Sanitary sewer to be constructed.

28. Approval of Water Contract #2002-W-06 between Fort Wayne Neighborhood Housing Partnership and the Fort Wayne Water Utility to construct water main systems to serve Harvester Avenue Water Main Extension. This project is located inside the City of Fort Wayne (PRIVATELY FUNDED);
John Suarez moved approval of Water Contract #2002-W-06 between Fort Wayne Neighborhood Housing Partnership and the Fort Wayne Water Utility to construct water main systems to serve Harvester Avenue Water Main Extension. Motion carried. Water main system to be constructed.

29. Approval of Addendum to Water Contracts #2001-W-26 and 2002-W-01. Both documents provide for the collection of a water availability fee as specified in the Thomas Road Feeder Main Contract #2002-W-02, passed earlier this year by the Board of Public Works;
Denise Porter-Ross moved approval of Addendum to Water Contracts #2001-W-26 and 2002-W-01. Motion carried. Addendums forwarded to Development Services for handling.

30. Change Order #1 received from Geiger Excavating for Improvement Resolution #595-1999, Southgate Phase II increasing the contract price by $59,367.90. The original contract price was $1,034,438.00. The new contract price including this change order is $1,093,805.90;
Ron Sheppard, Engineering Support Services, requested this agenda item be tabled until further notice.

31. Approval of Escrow Agreement between All Star Construction and the City of Fort Wayne for Improvement Resolution #583-98, Forest Avenue Area Storm Sewer. Lake City Bank is the Escrow Agent;
John Suarez moved approval of Escrow Agreement between All Star Construction and the City of Fort Wayne for Improvement Resolution #583-98, Forest Avenue Area Storm Sewer. Motion carried. Escrow Agreement to be sent to Escrow Agent.

32. Approval of Escrow Agreement between Shook Heavy & Environmental Group and the City of Fort Wayne for Improvement Resolution #642-02, WPC Plant Headworks Project. National City Bank of Indiana is the Escrow Agent;
Denise Porter-Ross moved approval of Escrow Agreement between Shook Heavy & **Environmental Group and the City of Fort Wayne for Improvement Resolution #642-02, WPC Plant Headworks Project. Motion carried. Escrow Agreement to be sent to Escrow Agent.**

33. Approval of recommendation received from Engineering Support Services to accept the work performed by Kreger Brothers Excavating on Water Contract #2001-W-24, Parkview North Water Main Extension as an integral part of the City's water main system;
John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Kreger Brothers Excavating on Water Contract #2001-W-24, Parkview North Water Main Extension. Motion carried. Acceptance letter to be sent to contractor.

34. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-02, Thomas Road Water Main Extension as an integral part of the City's water main system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-02, Thomas Road Water Main Extension. Motion carried. Acceptance letter to be sent.

35. Approval of Barrett Law Claims in the amount of $2,817.56;
John Suarez moved approval of Barrett Law Claims in the amount of $2,817.56. Motion carried. Claims forwarded to the Barrett Law Accountant.

36. Approval of General Accounting Claims in the amount of $5,825,994.87;
John Suarez moved approval of General Accounting Claims in the amount of $5,825,994.87. Motion carried. Claims forwarded to the Civil City Accounting Department.

37. Old Business;

None.

38. New Business;

(I) Change Order #1 received from Dehner Construction for Improvement Resolution #619-2000, Pine Lane Sanitary Sewer increasing the contract price by $5,709.45. The original contract price was $59,174.30. The new contract price including this change order is $64,883.75;
John Suarez moved approval of Change Order #1 received from Dehner Construction for Improvement Resolution #619-2000, Pine Lane Sanitary Sewer increasing the contract price by $5,709.45. Motion carried. Contract price to be increased.

(II) Approval of Survey Rates for Bonar Group, DLZ and Hannum, Wagle & Cline;
John Suarez moved approval of Survey Rates for Bonar Group, DLZ and Hannum, Wagle & Cline. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

(III) Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Neighborhood Partnership whereas the City of Fort Wayne Board of Public Works agrees to allocate $3,000.00 from 1st District CEDIT Funds for improvements to a vacant lot at the northwest corner of East Wayne and Harmar (formerly Carol's Sandwich Shop);
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Neighborhood Partnership whereas the City of Fort Wayne Board of Public Works agrees to allocate $3,000.00 from 1st District CEDIT Funds for improvements to a vacant lot at the northwest corner of East Wayne and Harmar (formerly Carol's Sandwich Shop). Motion carried. Copy to be placed on file in vault.

(IV) Approval of Proposal from SDII Global Corporation to Perform a Geophysical Survey in connection with the St. Joseph Center Road/Parker Cemetery in Fort Wayne Indiana;
Denise Porter-Ross moved approval of Proposal from SDII Global Corporation to Perform a Geophysical Survey in connection with the St. Joseph Center Road/Parker Cemetery in Fort Wayne Indiana. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

May 1, 2002

Board of Pubic Works
Room 250 – Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Member & Clerk Protem, Marj Enders, Barrett Law Accounting, Vic Bobay, Transportation Engineering Services. Carolyn S. Newport, Clerk, absent.

1. PRELIMINARY Hearing to confirm Improvement Resolution #6845-02, Sherborne Blvd. Phase II – Hasings to Vance by constructing new water main, new curbs, subsurface drain, new drive approaches, new ADA ramps and new stone & asphalt street;

   Vic Bobay, Project Engineer, explained the scope of the project to those in the audience. Marj Enders, Barrett Law Accountant explained the Barrett Law process.
   Denise Porter-Ross moved to Confirm Assessment Roll for Improvement Resolution #6845-02. Motion carried.
   REMONSTRANCE PERIOD UP ON MAY 13, 2002 AT 5:00 P.M.

Meeting adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

May 1, 2002

Board of Pubic Works
Room 250 – Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Member & Clerk Protem, Marj Enders, Barrett Law Accounting, Rich Romary, Transportation Engineering Services. Carolyn S. Newport, Clerk, absent.

1. PRELIMINARY Hearing to confirm Improvement Resolution #6867-02, Courtwood Drive and Kirkfield Drive by replacing concrete curb, drive approaches, installing subsurface drain improvements, new storm sewer pipes and structures, asphalt resurfacing and restoration;

   Rich Romary, Project Engineer, explained the scope of the project to those in the audience. Marj Enders, Barrett Law Accountant explained the Barrett Law process.
   John Suarez moved to Confirm Assessment Roll for Improvement Resolution #6867-02. Motion carried. REMONSTRANCE PERIOD UP ON MAY 13, 2002 AT 5:00 P.M.

Meeting adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

May 1, 2002

Board of Pubic Works
Room 250 – Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Member & Clerk Protem, Marj Enders, Barrett Law Accounting, Brian Kiess, Transportation Engineering Services. Carolyn S. Newport, Clerk, absent.

1. PRELIMINARY Hearing to confirm Improvement Resolution #6881-02, Allendale Drive: Belle Vista Blvd. – Gilbert Avenue by reconstructing the existing rpadway with new asphalt pavement, new concrete curbing and drive approaches as needed, band by rehabilitating the existing storm sewer structures, and seed, mulch, and restoration;

   Brian Kiess, Project Engineer, explained the scope of the project to those in the audience. Marj Enders, Barrett Law Accountant explained the Barrett Law process.
   Denise Porter-Ross moved to Confirm Assessment Roll for Improvement Resolution #6867-02. Motion carried.
   REMONSTRANCE PERIOD UP ON MAY 13, 2002 AT 5:00 P.M.

Meeting adjourned at 10:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

MAY 8, 2002

Board of Public Works
Room 250 - Omni Room
Meeting held at 9:00 A.M.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, David Ross, City Engineer, Mario Trevino & Gary Ainslie, Transportation Engineering Services, Jim Howard, City Law Department; Ron Sheppard, Engineering Support Services, Greg Meszaros, Chief of Engineering; Mark Gensic, Mike Thornson, & Judy Cleland, Planning & Design; Mark Kolander, Fleet Manager; George Cook, Traffic/Street Light Engineering; Ken Nicolet, Utilities Service Manager; Carl Wilson, Contract Compliance.

1. RECEIVE BIDS: Improvement Resolution #664-2002, Sluice Gate Rehabilitation:

BOWEN ENGINEERING	290,300.00
INDIANA CONST.	265,000.00
MADDOX INDUSTRIAL CONTRACTORS	261,000.00

Eng. Est. - $267,000.00
Engineering Support Services to tabulate and report.

2. RECEIVE BIDS: Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell:

GARCIA CONCRETE	38,641.86
HIPSKIND CONCRETE	53,191.00
KEY CONCRETE	53,355.00

Eng. Est. - $39,560.50
Transportation Engineering Services to tabulate and report.

3. RECEIVE BIDS: Improvement Resolution #6880-02, Woodhurst Addn. Phase I:

BROOKS CONST.	141,386.80
GARCIA CONCRETE	125,244.50
HIPSKIND CONCRETE	132,776.00
KEY CONCRETE	148,115.00
NEWELL CONST.	124,568.00
PRIMCO INC.	117,558.15

Eng. Est. - $109,209.50
Transportation Engineering Services to tabulate and report.

4. Approval of Board of Public Works Minutes of May 1, 2002 and Preliminary Hearing Minutes of May 1, 2002 for Improvement Resolution #6845-02, Sherborne Blvd., Phase II, Improvement Resolution #6854-02, Courtwood Drive & Kirkfield Drive, and Improvement Resolution #6881-02, Allendale.
Denise Porter-Ross moved approval of Public Works Minutes of May 1, 2002 and Preliminary Hearing Minutes of May 1, 2002 for Improvement Resolution #6845-02, Sherborne Blvd., Phase II, Improvement Resolution #6854-02, Courtwood Drive & Kirkfield Drive, and Improvement Resolution #6881-02, Allendale. Motion carried. Minutes approved.

5. Approval of Contract between the City of Fort Wayne and the Allen County Solid Waste Management District for Participation in the Allen County Solid Waste Management Districts Yard Waste Management Program;

Dawn Ritchie, Solid Waste Manager, said that this annual contract is basically the same as last year's contract with a few minor changes.

John Suarez moved approval of Contract between the City of Fort Wayne and the Allen County Solid Waste Management District for Participation in the Allen County Solid Waste Management Districts Yard Waste Management Program. Motion carried. Copy to be placed on file in vault.

6. Approval of Amendment to Board of Public Works/Stormwater Management Policy regarding the petition process and guidelines regarding corner lots;

   Ted Rhinehart stated that property owners living on corner lots will be asked to pay 60% of the less lineal footage of side property. The City will pay for 40% of the less lineal footage of side property and 100% of the larger lineal footage of side property.
   Denise Porter-Ross moved approval of Amendment to Board of Public Works/Stormwater Management Policy regarding the petition process and guidelines regarding corner lots. Motion carried. Copy to be herein incorporated.

6. **AWARD:** Improvement Resolution #670-2002, Independence Drive Interceptor to Geiger Excavating in the amount of $249,241.80. Contract Compliance concurs with this award;
   John Suarez moved approval of award for Improvement Resolution #670-02 to Geiger Excavating in the amount of $249,241.80. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6836-02, Miscellaneous Const. Pkg. 6-A-02 to Key Concrete in the amount of $77,795.00. Contract Compliance concurs with this award;
   John Suarez moved approval of award for Improvement Resolution #6836-02 to Key Concrete in the amount of $77,795.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. **AWARD:** Improvement Resolution #6854-02, Sherwood Terrace: Hartman Rd. to Stratford Rd. to Hipskind Concrete Corp. in the amount of $113,568.75. Contract Compliance concurs with this award.
   PRIOR APPROVAL REQUESTED;
   John Suarez moved approval of award for Improvement Resolution #6854-02 to Hipskind Concrete Corp. in the amount of $113,568.75. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6860-02, Prange Dr.: Beaver Ave. to Tacoma Avenue to Hipskind Concrete Corp. in the amount of $72,456.50. Contract Compliance concurs with this award;
   John Suarez moved approval of award for Improvement Resolution #6860-02 to Hipskind Concrete Corp. in the amount of $72,456.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. Hold Harmless Agreement between Ground Level Coffee and the City of Fort Wayne for a period beginning 5/8/02 and continuing through close of business on October 31, 2002 for the purpose of operate a sidewalk restaurant at 110 W. Columbia Street:
    Denise Porter-Ross moved approval of Hold Harmless Agreement between Ground Level Coffee and the City of Fort Wayne for a period beginning 5/8/02 and continuing through close of business on October 31, 2002 for the purpose of operate a sidewalk restaurant at 110 W. Columbia Street. Motion carried. Copy to be placed on file.

11. Approval of Agreement between the City of Fort Wayne and State of Indiana through INDOT to participate in right-of-way acquisition activities of improvements to Ardmore Avenue Extended from Lower Huntington Road to Indianapolis Road. Proposed activities include complying with all federal and state laws, rules and regulations applicable to acquisition of right-of-way. City Engineering recommends approval;

    David Ross, City Engineer, stated that this project is a link into the Fort Wayne Airport. The state will partner with the City with a contribution of 80%.

John Suarez moved approval of Agreement between the City of Fort Wayne and State of Indiana through INDOT to participate in right-of-way acquisition activities of improvements to Ardmore Avenue Extended from Lower Huntington Road to Indianapolis Road. Motion carried. Copy to be placed on file in vault.

12. Approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design engineering of improvements to Pontiac Street and Wayne Trace Intersection. Proposed improvements include complete replacement of roadways to be reconfigured to create a roundabout on each side of railroad crossing and other related roadway work. Compensation for services performed shall be a lump sum fee of $148,800.00 funded through the Infrastructure Bond. City Engineering recommends approval;

    David Ross, City Engineer, apprised the Board of the following: proposed improvements for this project include the complete replacement of the existing pavement within the project limits; the alignment of the roadways to be reconfigured to create a roundabout on each side, north and south, of the railroad viaduct (each of the roundabouts having a radius of approximately 65'); a small section of Fenker Avenue between Pontiac Street and Pioneer Street to be removed. All roadways in the project limits shall carry two-way traffic.
    Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design engineering of improvements to Pontiac Street and Wayne Trace Intersection. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

13. Approval of Special Contract for Off-Site Improvements of Lois Lane between the City of Fort Wayne and North Shapleigh Apts. L.P., 12207 Illinois Road;

    David Ross, City Engineer, stated that since the City encourages the creation of developments, the City has pledged up to $40,000 to support the development of public infrastructure of a 96-unit affordable housing development on the City's west side.
    Denise Porter-Ross moved approval of Special Contract for Off-Site Improvements of Lois Lane between the City of Fort Wayne and North Shapleigh Apts. L.P., 12207 Illinois Road. Motion carried. Copy to be placed on file in vault.

14. Approval of Amendment #2, 3, and 4 to the Fleet Maintenance Agreement between the City of Fort Wayne and First Vehicle Services;

    George Cook, Traffic Eng./Street Light Eng. Apprised the Board of the following: Amendment #2 provides for First Vehicle Services (FVS) to allow the City to occupy the recently completed office space in the garage facility and for them to request waivers for certain mechanic requirements. Amendment #3 provides for a mutually established lifecycle plan to be incorporated into the Agreement. Amendment #4 establishes the Target Contract cost for year 2 of the Agreement at $2,078.768. It confirms the mutually agreed upon Vehicle Equivalency (VE) rate for all equipment classifications and the fleet size on 1/1/01 and on 1/1/02 measured by total VE count.

    The contractor will be allowed to combine their General and Administrative (G & A) costs and their Management fees for a total amount not-to-exceed $319,476.00 for year 2 of the agreement.
    John Suarez moved approval of Amendment #2, 3, and 4 to the Fleet Maintenance Agreement between the City of Fort Wayne and First Vehicle Services. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

16. **IMPROVEMENT RESOLUTION #6876-02,** Lakeshores Addition Phase III, Lakewood Dr.: Monterey Drive to Hiltonia Drive;

    Mario Trevino, Transportation Engineering Services, said that this is for the improvement for Lakewood Drive: Monterey Drive to Hiltonia Drive – Spot Repair of concrete pavement and affected drive approaches.
    John Suarez moved approval of IMPROVEMENT RESOLUTION #6876-02, Lakeshores Addition Phase III, Lakewood Dr.: Monterey Drive to Hiltonia Drive. Motion carried. Copy to be herein incorporated.

17. **IMPROVEMENT RESOLUTION #6883-02,** North Anthony Blvd.: Reversible Left Turn Lane;

Mario Trevino, Director of Transportation Engineering Services, said that this Resolution is to improve N. Anthony Blvd. from Crescent Avenue to north of St. Joe River Drive by partial lane construction, ADA ramps, center curb elimination and new traffic striping for reversible left turn lane.
Denise Porter-Ross moved approval of Improvement Resolution #6883-02. Motion carried. Copy to be herein incorporated. Bids to be received on 5/29/02.

18. **IMPROVEMENT RESOLUTION #6889-02,** Ewing Street: Jefferson Blvd. to Main Street;

David Ross, City Engineer, said that this Resolution is for cement concrete pavement removal and replacement as needed; abandoned driveway approach removal; curb ramp construction; sidewalk reconstruction as needed and other related roadway work.
John Suarez moved approval of Improvement Resolution #6889-02, Ewing Street: Jefferson Blvd. to Main Street. Motion carried. Copy to be herein incorporated.

19. **IMPROVEMENT RESOLUTION #6890-02,** Chestnut Street Phase II;

Mario Trevino, Transportation Engineering stated that this Resolution is for the improvement of Chestnut Street from Summer St. to Lumbard St., and at 1804 Lumbard St. by reconstruction of sidewalks, drive approaches, and alley approaches.
Denise Porter-Ross moved approval of Improvement Resolution #6890-02. Motion carried. Copy to be herein incorporated. Bids to be received on 5/22/02.

20. Approval of Construction Contract #6856-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Maple Grove Avenue from Calhoun Street to Montrose Avenue and Calumet Ave. to Lafayette St. in the amount of $126,172.40;
Denise Porter-Ross moved approval of Construction Contract #6856-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Maple Grove Avenue from Calhoun Street to Montrose Avenue and Calumet Ave. to Lafayette St. in the amount of $126,172.40. Motion carried. Contract to be sent to City Council.

21. Approval of Construction Contract #6872-02 between Garcia Concrete Construction Inc. and the City of Fort Wayne for Treverton Drive (7221-7209) in the amount of $29,179.00;
Denise Porter-Ross moved approval of Construction Contract #6872-02 between Garcia Concrete Construction Inc. and the City of Fort Wayne in the amount of $29,179.00. Motion carried. Notice to proceed to be sent.

22. Approval of Construction Contract #6873-02 between All Star Construction and the City of Fort Wayne for Trier Ridge Park: Debeney Drive and Verona Drive in the amount of $85,190.00;
Denise Porter-Ross moved approval of Construction Contract #6873-02 between All Star Construction and the City of Fort Wayne in the amount of $85,190.00. Motion carried. Notice to proceed to be sent.

23. Approval of Construction Contract #6877-02 between Key Concrete Inc. and the City of Fort Wayne for Curb Ramp Package 2-2001 in the amount of $112,178.00;
Denise Porter-Ross moved approval of Construction Contract #6877-02 between Key Concrete Inc. and the City of Fort Wayne for Curb Ramp Package 2-2001 in the amount of $112,178.00. Motion carried. Contract to be sent to City Council.

24. Approval of Amended E.B.E. Rider for Improvement Resolution #6863-02, Resurfacing Pkg. 1-2002 between the City of Fort Wayne and Bunn Excavating Inc.;
Denise Porter-Ross moved approval of Amended E.B.E. Rider for Improvement Resolution #6863-02 between the City of Fort Wayne and Bunn Excavating, Inc. Motion carried. Copy to be placed on file.

25. Approval of Amended E.B.E. Rider for Improvement Resolution #6868-02,Resurfacing Pkg. 2-2001 between the City of Fort Wayne and Brooks Construction Co., Inc.;

Denise Porter-Ross moved approval of Amended E.B.E. Rider for Improvement Resolution #6868-02 between the City of Fort Wayne and Brooks Construction Co., Inc. Motion carried. Copy to be placed on file.

26. Approval of Construction Contract #281-02 between Robert Henry Corporation and the City of Fort Wayne for Lima Valley Addition Street Light Improvement in the amount of $8,320.00;
Denise Porter-Ross moved approval of Construction Contract #281-02 between Robert Henry Corporation and the City of Fort Wayne for Lima Valley Addition Street Light Improvement in the amount of $8,320.00. Motion carried. Notice to proceed to be sent.

27. Approval of Fort Wayne Water Pollution Control Utility (Wastewater Utility) General Rules and Regulations as Amended April, 2002;

Tabled for further review.

28. Approval of Professional Engineering Services Agreement between Strand Associates, Inc. and the City of Fort Wayne for Assessment of Filtration Plant Valving. The not-to-exceed fee for this contract is $31,500.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design Services stated that the valving at the Filtration Plant is out of date and Strand Associates, Inc. will perform a study how on to replace the valving with more reliable valves.
Denise-Porter Ross moved approval of Professional Engineering Services Agreement between Strand Associations, Inc. and the City of Fort Wayne for Assessment of Filtration Plant Valving. Motion carried. Notice to proceed to be sent. Copy to be placed on file in vault.

29. Approval of Escrow Agreement between the City of Fort Wayne and Maddox Industrial Contractors for Improvement Resolution #1102-01, Filter 15 Rehabilitation. The Escrow Agent is National City of Indiana;
Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and Maddox Industrial Contractors for Improvement Resolution #1102-01. Motion carried. Copy to be sent to the Escrow Agent.

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2001-W-01, Morgan Creek Offsite: Bass Road as an integral part of the City's water distribution system;
John Suarez moved to accept the work performed by Kurtz Excavating on Water Contract #2001-W-01. Motion carried. Acceptance letter to be sent.

31. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2001-W-26, Morgan Creek Section I and The Coves of Morgan Creek as an integral part of the City's water distribution system;
John Suarez moved to accept the work performed by Kurtz Excavating on Water Contract #2001-W-26. Motion carried. Acceptance letter to be sent.

32. Approval of write-off received from General Accounting for Revenue Accounts for the month of February 2002 in the amount of $20,640.51;
Denise Porter-Ross moved approval of write-off received from General Accounting for Revenue Accounts for the month of February 2002 in the amount of $20,640.51. Motion carried. Write-off to be sent to a collection agency.

33. Approval of Claims received from General Accounting for the week of 4/24/02 in the amount of $3,417,470.67 and for the week of 5/8/02 in the amount of $7,703,369.20;
Denise Porter-Ross moved approval of Claims received from General Accounting for the week of 4/24/02 in the amount of $3,417,470.67 and for the week of 5/8/02 in the amount of $7,703,369.20. Motion carried. Claims to be sent to the Department of Finance.

34. Approval of Barrett Law Claims in the amount of $7,209.02;
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $7,209.02. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

35. Old Business:

None.

36. New Business:

Professional Services Agreement Contract for Engineering Student Services between the City of Fort Wayne and Tri-State University;

Mark Gensic, Planning & Design stated that the University, through its Civil Engineering Department, shall provide up to three students to work up to 40 hours/week within the City's Engineering Departments.
John Suarez moved approval of Professional Services Agreement Contract for Engineering Student Services between the City of Fort Wayne and Tri-State University. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of Agreement between the City of Fort Wayne and Donohue Associates to provide additional professional services to the design revisions of improvements to Ewing Street, Phase II. Proposed improvements include: revised cement concrete pavement removal and replacement. Compensation for services performed shall be a fee not-to-exceed $4,500.00. City Engineering recommends approval.

David Ross, City Engineer apprised the Board of the following: Donohue has previously completed plans for this area that were not used due to budgeting decisions. A recent field review by City staff has determined that two years of additional deterioration has caused some new areas to need replacement. Donohue is to revise the plans for new project limits between Jefferson Blvd. and Main Street.
Denise Porter-Ross moved approval of Agreement beween the City of Fort Wayne and Donohue Associates to provide additional professional services to the design revisions of improvements to Ewing Street. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the right-of-way engineering of improvements to Ardmore Avenue Extended.

David Ross, City Engineer apprised the Board of the following; proposed improvements include: prepare right-of-way plans; title searching examination of abstract; title insurance; prepare legal description; provide plat drawings; provide field stake-out work; 21 parcels. Compensation for services performed shall be a fee not-to-exceed $53,621.05 funded through Federal Aid 80% (42,896.84) and CEDIT 20% share ($10,724.21).
John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the right-of-way engineering of improvements to Ardmore Avenue Extended. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Approval of Addendum to the Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and the Allen County Regional Water & Sewer District (Hessen Cassel);

Ted Rhinehart said that this would allow for the expansion of the sanitary sewer service area to include the property commonly known as 11300 Trentman Road, and that said property is incorporated into the Hessen Cassel service area.

Denise Porter-Ross moved approval of Addendum to the Water Pollution Control Treatment Agreement between the City of Fort Wayne, Indiana and the Allen County Regional Water & Sewer District. Motion carried. Copy to be placed on file.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

MAY 8, 2002

Board of Stormwater Management
Room 250 - Omni Room
Meeting held at 9:40 A.M.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, David Ross, City Engineer, Mario Trevino & Gary Ainslie, Transportation Engineering Services, Jim Howard, City Law Department; Ron Sheppard, Engineering Support Services, Greg Meszaros, Chief of Engineering; Mark Gensic, Mike Thornson, & Judy Cleland, Planning & Design; Mark Kolander, Fleet Manager; George Cook, Traffic/Street Light Engineering; Ken Nicolet, Utilities Service Manager; Carl Wilson, Contract Compliance; Mary Jane Slaton, Development Services.

1. Approval of Board of Stormwater Management Minutes of April 17, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of April 17, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #665-2002,** North Drive – Reed Road Storm Sewer Improvement;

Mike Thornson, Planning & Design said that this Resolution is for the construction of 2100 LF of 12"-54" storm sewer pipe, 10 manholes, 9 inlets with all utilities adjustment and site restoration.
Denise Porter-Ross moved approval of Improvement Resolution #665-2002. Motion carried. Copy to be herein incorporated.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport

May 8, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, and Nancy Townsend, Project Manager.

1. Public Hearing to confirm, modify or reject Resolution approving Improvement Resolution #640-02, The Farwood Avenue- Hystone Storm Sewer Improvement and appropriating and condemning easements for use by the City of Fort Wayne.

   Nancy Townsend, Project Manager explained the scope of the project to the one property owner present, Elva Ramirez of 6214 Decatur Road. Ms. Ramarez expressed a desire to have access to hook up to a sanitary sewer since the construction of the above-mentioned project would be using considerable space on her easement.

   Ted Rhinehart stated that he was in favor of running a sanitary sewer to property with the property owner to be responsible for hooking up. Mr. Rhinehart said that the Board could proceed with the project but not finalize the bids until it was determined that a grinder pump system would work. **Ted Rhinehart moved to confirm Resolution #640-02 but delay plans to determine if the benefits exceed the cost. Motion carried. Resolution #640-02 confirmed.**

Hearing adjourned at 10:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport

BOARD OF STORMWATER MANAGEMENT AGENDA

MAY 8, 2002

1. Approval of Board of Stormwater Management Minutes of April 17, 2002;

2. **IMPROVEMENT RESOLUTION #665-2002,** North Drive - Reed Road Storm Sewer Improvement;

3. Approval of Amendment to Board of Public Works/Stormwater Management Policy regarding the petition process and guidelines regarding corner lots;

4. Old Business:

5. New Business:

BOARD OF PUBLIC WORKS AGENDA

MAY 8, 2002

1. **RECEIVE BIDS:** Improvement Resolution #664-02, Sluice Gate Rehabilitation;

2. **RECEIVE BIDS:** Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell;

3. **RECEIVE BIDS:** Improvement Resolution #6880-02, Woodhurst Addn. Ph. I;

4. Approval of Board of Public Works Minutes of May 1, 2002 and Preliminary Hearing Minutes of May 1, 2002 for Improvement Resolution #6845-02, Sherborne Blvd., Phase II, Improvement Resolution #6854-02, Courtwood Drive & Kirkfield Drive, and Improvement Resolution #6881-02, Allendale.

5. Approval of Contract between the City of Fort Wayne and the Allen County Solid Waste Management District for Participation in the Allen County Solid Waste Management Districts Yard Waste Management Program;

6. Approval of Amendment to Board of Public Works/Stormwater Management Policy regarding the petition process and guidelines regarding corner lots;

7. **AWARD:** Improvement Resolution #670-2002, Independence Drive Interceptor to Geiger Excavating in the amount of $249,241.80. Contract Compliance concurs with this award;

8. **AWARD:** Improvement Resolution #6836-02, Miscellaneous Const. Pkg. 6-A-02 to Key Concrete in the amount of $77,795.00. Contract Compliance concurs with this award;

9. **AWARD:** Improvement Resolution #6854-02, Sherwood Terrace: Hartman Rd. to Stratford Rd. to Hipskind Concrete Corp. in the amount of $113,568.75. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

10. **AWARD:** Improvement Resolution #6860-02, Prange Dr.: Beaver Ave. to Tacoma Avenue to Hipskind Concrete Corp. in the amount of $72,456.50. Contract Compliance concurs with this award;

11. Hold Harmless Agreement between Ground Level Coffee and the City of Fort Wayne for a period beginning 5/8/02 and continuing through close of business on October 31, 2002 for the purpose of operate a sidewalk restaurant at 110 W. Columbia Street:

12. Approval of Agreement between the City of Fort Wayne and State of Indiana through INDOT to participate in right-of-way acquisition activities of improvements to Ardmore Avenue Extended from Lower Huntington Road to Indianapolis Road. Proposed activities include complying with all federal and state laws, rules and regulations applicable to acquisition of right-of-way. City Engineering recommends approval;

13. Approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the design engineering of improvements to Pontiac Street and Wayne Trace Intersection. Proposed improvements include complete replacement of roadways to be reconfigured to create a roundabout on each side of railroad crossing and other related roadway work. Compensation for services performed shall be a lump sum fee of $148,800.00 funded through the Infrastructure Bond. City Engineering recommends approval;

14. Approval of Special Contract for Off-Site Improvements of Lois Lane between the City of Fort Wayne and North Shapleigh Apts. L.P., 12207 Illinois Road;

15. Approval of Amendment #2, 3, and 4 to the Fleet Maintenance Agreement between the City of Fort Wayne and First Vehicle Services;

16. **IMPROVEMENT RESOLUTION #6876-02,** Lakeshores Addition Phase III, Lakewood Dr.: Monterey Drive to Hiltonia Drive;

17. **IMPROVEMENT RESOLUTION #6883-02,** North Anthony Blvd.: Reversible Left Turn Lane;

18. **IMPROVEMENT RESOLUTION #6889-02,** Ewing Street: Jefferson Blvd. to Main Street;

19. **IMPROVEMENT RESOLUTION #6890-02,** Chestnut Street Phase II;

20. Approval of Construction Contract #6856-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Maple Grove Avenue from Calhoun Street to Montrose Avenue and Calumet Ave. to Lafayette St. in the amount of $126,172.40;

21. Approval of Construction Contract #6872-02 between Garcia Concrete Construction Inc. and the City of Fort Wayne for Treverton Drive (7221-7209) in the amount of $29,179.00;

22. Approval of Construction Contract #6873-02 between All Star Construction and the City of Fort Wayne for Trier Ridge Park: Debeney Drive and Verona Drive in the amount of $85,190.00;

23. Approval of Construction Contract #6877-02 between Key Concrete Inc. and the City of Fort Wayne for Curb Ramp Package 2-2001 in the amount of $112,178.00;

24. Approval of Amended E.B.E. Rider for Improvement Resolution #6863-02, Resurfacing Pkg. 1-2002 between the City of Fort Wayne and Bunn Excavating Inc.;

25. Approval of Amended E.B.E. Rider for Improvement Resolution #6868-02,Resurfacing Pkg. 2-2001 between the City of Fort Wayne and Brooks Construction Co., Inc.;

26. Approval of Construction Contract #281-02 between Robert Henry Corporation and the City of Fort Wayne for Lima Valley Addition Street Light Improvement in the amount of $8,320.00;

tabled

27. Approval of Fort Wayne Water Pollution Control Utility (Wastewater Utility) General Rules and Regulations as Amended April, 2002;

28. Approval of Professional Engineering Services Agreement between Strand Associates, Inc. and the City of Fort Wayne for Assessment of Filtration Plant Valving. The not-to-exceed fee for this contract is $31,500.00. Planning & Design Services recommend approval;

29. Approval of Escrow Agreement between the City of Fort Wayne and Maddox Industrial Contractors for Improvement Resolution #1102-01, Filter 15 Rehabilitation. The Escrow Agent is National City of Indiana;

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-01, Morgan Creek Offsite: Bass Road as an integral part of the City's water distribution system;

31. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2001-W-26, Morgan Creek Section I and The Coves of Morgan Creek as an integral part of the City's water distribution system;

32. Approval of write-off received from General Accounting for Revenue Accounts for the month of February 2002 in the amount of $20,640.51;

33. Approval of Claims received from General Accounting for the week of 4/24/02 in the amount of $3,417,470.67 and for the week of 5/8/02 in the amount of $2,703,369.20;

34. Approval of Barrett Law Claims in the amount of $7,209.02;

35. Old Business:

36. New Business:

Professional Services Agreement Contract for Engineering Student Services between the City of Fort Wayne and Tri-State University;

Approval of Agreement between the City of Fort Wayne and Donohue Associates to provide additional professional services to the design revisions of improvements to Ewing Street, Phase II. Proposed improvements include: revised cement concrete pavement removal and replacement. Compensation for services performed shall be a fee not-to-exceed $4,500.00. City Engineering recommends approval.

J. Bonar - row eng Audmon

D. A Amendment
Allen Co Serv District

BOARD OF PUBLIC WORKS AGENDA

MAY 15, 2002

1. **RECEIVE BIDS:** Improvement Resolution #6866-02, South Anthony Blvd.: Paulding Road to Fairfax;

2. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, approving the execution of an Agency Agreement with the Fort Wayne Municipal Building Corp. and regarding certain related matters and approval of Agency Agreement;

3. Approval of Board of Public Works Minutes of May 8, 2002 and Public Hearing Minutes for Improvement Resolution #269-A-00, Hawthorne Road Street Lighting Improvement of May 8, 2002;

4. **AWARD:** Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell to Garcia Concrete in the amount of $38,641.86. Contract Compliance concurs with this award;

5. **AWARD:** Improvement Resolution #6880-02, Woodhurst Addn. Phase I to Primco Inc. in the amount of $117,558.15. Contract Compliance concurs with this award;

6. **IMPROVEMENT RESOLUTION #6884-02,** Public Sidewalk Curb Ramp Package 7-2002;

7. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6802-01, Reserve Line Road Construction decreasing the contract price by $4,907.45. The original contract price was $55,181.50. The new contract price including this change order is $50,274.05;

8. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6825-01, Arlington Park increasing the contract price by $732.21. The original contract price was $52,786.50. The new contract price including this change order is $53,518.71;

9. Approval of Contract between Benchmark Construction LLC and the City of Fort Wayne for Flood Control Stop Log Structures: Assembly, Disassembly and Maintenance in the amount of $87,446.50;

10. Approval of Construction Contract #6852-02 between Brooks Construction Co., Inc. and the City of Fort Wayne, Indiana in the amount of $947,774.00 for Resurfacing Pkg. #3-2002;

11. Approval of Amended E.B.E. Rider between the City of Fort Wayne and E & B Paving for Resurfacing Package A-2002;

12. Approval of Change Order received from Robert Henry Corp. for Improvement Resolution #269-00, Hawthorne Road Street Lighting Improvement decreasing the contract price by $198.68. The original contract price was $11,560.00. The new contract price including this change order is $11,361.32;

13. Approval of recommendation received from Street Light Engineering to accept the work performed by Lights & Signals on Improvement Resolution #275-01, Coldwater Road Street Lighting project as an integral part of the City's street lighting system;

14. **IMPROVEMENT RESOLUTION #1501-2002,** Covington Road North Sanitary Sewer;

15. **IMPROVEMENT RESOLUTION #1106-01,** Hurshtown Reservoir Embankment Repairs – 2002;

16. **IMPROVEMENT RESOLUTION #1120-02,** Union Chapel – Water Main Extension;

17. Interlocal Cooperation Agreement between the Board of Commissioners of Allen County and the City of Fort Wayne for Union Chapel Road;

18. Approval of Change Order #1 received from Geiger Excavating for Improvement Resolution #595-1999, Southgate Phase II increasing the contract price by $73,367.90. The original contract price was $1,034,438.00. The new contract price including this change order is $1,107,805.90;

19. Approval of Sewer Contract #2002-S-11 between Pine View Land Corp. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

20. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2001-S-42, Falcon Creek Sec. IV and the work performed by Scheidleman Excavating Inc. on Sanitary Sewer Contract #2001-S-48, Falcon Creek Section V as an integral part of the City's sanitary sewer system;

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Pyramid Excavating, Inc. on Water Contract #2002-W-04, Harvester Ave. Water Main as an integral part of the City's water distribution system;

22. Approval of Amended Resident Project Representative Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for Inspection Services;

23. Approval of Fort Wayne Water Pollution Control Utility General Rules and Regulations;

24. Approval of Warranty Deed whereas the City conveys and warrants to Z. K. Tazian Associates, Inc. 1.313 acres on Swift Drive;

25. Approval of write-off for City Utilities Miscellaneous Delinquent Accounts in the amount of $256.89;

26. Approval of Claims in the amount of $ 4,093,190.72 ;

27. Approval of Barrett Law Claims in the amount of $ 13,375.99 ;

28. Old Business:

29. New Business:

Approval of Acknowledgement of an Agreement between Chapel Ridge Investors & Parkview Health System to assign a percentage of the cost and capacity of the sewer system of a portion of the North Maumee Regional Sewer System within an area described as "Development Area" in the contract signed by the Board on August 22, 2001;

AWARD: Improvement Resolution #664-02, WPC Plant Sluice Gate Rehabilitation to Maddox Industrial Contractors in the amount of $261,000.00. Contract Compliance concurs with this award;

Approval of Inter-Local Agreement for Operation and Development of "City TV" The Governmental Access Cable Channel between the Allen County Public Library and the City of Fort Wayne;

Paul I Orgi-

Escrow Agree - Wedner
Escrow

Contract - Independence
w/ Deeper
Email approval request
Jessie - intern Holly Smeller - Purdue

MAY 15, 2002

Board of Public Works
Room 250 - Omni Room
Meeting held at 9:00 A.M.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Mario Trevino, Transportation Engineering Services, Jim Howard, City Law Department; Ron Sheppard, Engineering Support Services, Greg Meszaros, Chief of Engineering; Mark Gensic, Planning & Design; Carl Wilson, Contract Compliance; Mary Jane Slaton, Tom Pallone, & Jack Suter, Development Services; Jon Bomberger, Attorney, Bakers & Daniels; Cathy Robb, Flood Control. John Suarez, absent.

1. **RECEIVE BIDS:** Improvement Resolution #6866-02, South Anthony Blvd.: Paulding Road to Fairfax;

Brooks Const.	$235,002.35
Bunn, Inc.	$233,899.15
E & B	$212,968.00
Hipskind Concrete	$199,999.99
Wayne Asphalt	$205,374.75
Eng. Est.	$298,577.50

   Transportation Engineering Services to tabulate and report.

2. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, approving the execution of an Agency Agreement with the Fort Wayne Municipal Building Corp. and regarding certain related matters and approval of Agency Agreement;

   Jon Bomberger, Attorney for Bakers & Daniels, stated that the agreement states the following:

   (1) that the City administers the construction.
   (2) sets amortization schedule
   (3) approves Bond issuance in the principal amount of $1,035,000.00 and conveys the title to the real property described in the Lease to the Building Corporation.

   Mr. Bomberger said that the Agreement would need City Council approval.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, approving the execution of an Agency Agreement with the Fort Wayne Municipal Building Corp. and regarding certain related matters and approval of Agency Agreement. Motion carried. Copy to be herein incorporated.

3. Approval of Board of Public Works Minutes of May 8, 2002 and Public Hearing Minutes for Improvement Resolution #269-A-00, Hawthorne Road Street Lighting Improvement of May 8, 2002;
   Denise Porter-Ross moved approval of Board of Public Works Minutes of May 8, 2002 and Public Hearing Minutes for Improvement Resolution #269-A-00, Hawthorne Road Street Lighting Improvement of May 8, 2002. Motion carried. Minutes approved.

4. **AWARD:** Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell to Garcia Concrete in the amount of $38,641.86. Contract Compliance concurs with this award;
   Denise Porter-Ross moved approval of award for Improvement Resolution #6850-02, Wohoma Drive: Maplewood to Hopewell to Garcia Concrete in the amount of $38,641.86. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #6880-02, Woodhurst Addn. Phase I to Primco Inc. in the amount of $117,558.15. Contract Compliance concurs with this award. Prior approval requested.
   Denise Porter-Ross moved approval of award for Improvement Resolution #6880-02, Woodhurst Addn. Phase I to Primco Inc. in the amount of $117,558.15. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

6. **IMPROVEMENT RESOLUTION #6884-02,** Public Sidewalk Curb Ramp Package 7-2002;

   Mario Trevino, Transportation Engineering Services said that this Resolution is for the improvement of the 6th District Area Intersections/miscellaneous locations within Branning Hills Sec. I & Sec. II Add., Trier Ridge Park Sec. I Amended, Trier Ridge Park Sec. II & Sec. III. Trier Ridge Park Ph. II, by construction/reconstruction of corner curb ramps, affected curbs, sidewalks, drainage structures, top soil, mulched seeding, and fertilization of trees.
   Denise Porter-Ross moved approval of Improvement Resolution #6884-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/5/02.

7. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6802-01, Reserve Line Road Construction decreasing the contract price by $4,907.45. The original contract price was $55,181.50. The new contract price including this change order is $50,274.05;

   Mario Trevino, Transportation Engineering Services, said that this change order shows a reflection of quantities used to complete project.
   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6802-01, Reserve Line Road Construction decreasing the contract price by $4,907.45. Motion carried. Contract price to be decreased.

8. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6825-01, Arlington Park increasing the contract price by $732.21. The original contract price was $52,786.50. The new contract price including this change order is $53,518.71;

   Mario Trevino, Transportation Engineering Services, stated that a grade change included another drive and extra pavement removal for water problems.
   Denise Porter-Ross moved approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6825-01, Arlington Park increasing the contract price by $732.21. Motion carried. Contract price to be increased.

9. Approval of Contract between Benchmark Construction LLC and the City of Fort Wayne for Flood Control Stop Log Structures: Assembly, Disassembly and Maintenance in the amount of $87,446.50;

   Cathy Robb, Flood Control stated that this is a two-year contract starting January 1, 2002 and will end on December 31, 2003.
   Denise Porter-Ross moved approval of Contract between Benchmark Construction LLC and the City of Fort Wayne for Flood Control Stop Log Structures: Assembly, Disassembly and Maintenance in the amount of $87,446.50. Motion carried. Notice to proceed to be sent.

10. Approval of Construction Contract #6852-02 between Brooks Construction Co., Inc. and the City of Fort Wayne, Indiana in the amount of $947,774.00 for Resurfacing Pkg. #3-2002;
    Denise Porter-Ross moved approval of Construction Contract #6852-02 between Brooks Construction Co., Inc. and the City of Fort Wayne, Indiana in the amount of $947,774.00 for Resurfacing Pkg. #3-2002. Motion carried. Contract to be sent to City Council.

11. Approval of Amended E.B.E. Rider between the City of Fort Wayne and E & B Paving for Resurfacing Package A-2002;

Denise Porter-Ross moved approval of Amended E.B.E. Rider between the City of Fort Wayne and E & B Paving for Resurfacing Package 1-2002. Motion carried. Copy to be placed on file.

12. Approval of Change Order received from Robert Henry Corp. for Improvement Resolution #269-00, Hawthorn Road Street Lighting Improvement decreasing the contract price by $198.68. The original contract price was $11,560.00. The new contract price including this change order is $11,361.32;
Denise Porter-Ross moved approval of Change Order received from Robert Henry Corp. for Improvement Resolution #269-00. Motion carried. Contract price to be increased.

13. Approval of recommendation received from Street Light Engineering to accept the work performed by Lights & Signals on Improvement Resolution #275-01, Coldwater Road Street Lighting project as an integral part of the City's street lighting system;
Denise Porter-Ross moved to accept the work performed by Lights & Signals on Improvement Resolution #275-01 as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

14. **IMPROVEMENT RESOLUTION #1501-2002,** Covington Road North Sanitary Sewer;

Tom Pallone, Development Services stated that this Resolution orders the construction of approximately 723 lf. of 8-inch sanitary sewer and appurtenances starting from an existing manhole located near the northwest corner (rear lot) of 5332 Covington Road and extending west along the rear property lines of the Covington Road properties to a point just east of North Bend Drive.
Denise-Porter Ross moved approval of Improvement Resolution #1501-2002. Motion carried. Copy to be herein incorporated.

15. **IMPROVEMENT RESOLUTION #1106-01,** Hurshtown Reservoir Embankment Repairs – 2002;

Mark Gensic, Planning & Design, said that this project is located north of Grabill and on the south bank of the St. Joe River and is 1 mile long and ½ mile wide. It is a recreation area used by the Parks Department.
Denise Porter-Ross moved approval of Improvement Resolution #1106-01. Motion carried. Copy to be herein incorporated. Bids to be received on 6/5/02.

16. **IMPROVEMENT RESOLUTION #1120-02,** Union Chapel – Water Main Extension;

Matt Wirtz, Planning & Design, said that this project is for the construction of approximately 1505 LF of 16" water main, 220 LF of jack and bored 24" steel casing. Mr. Wirtz said that this is project of the Allen County Road project.

Denise Porter-Ross moved approval of Improvement Resolution #1120-02. Motion carried. Copy to be herein incorporated.

17. Interlocal Cooperation Agreement between the Board of Commissioners of Allen County and the City of Fort Wayne for Union Chapel Road;

Matt Wirtz, Planning & Design, said that the County is developing plans for roadway improvements to Union Chapel Road and the improvements are proposed for construction in two separate phases. The City is proposing to install water and sewer utility improvements with the roadway project. Mr. Wirtz stated that this Agreement states that the City would be responsible for funding the water and sewer projects to be performed in connection with this project.

Denise Porter-Ross moved approval of Interlocal Cooperation Agreement between the Board of Commissioners of Allen County and the City of Fort Wayne for Union Chapel Road. Motion carried. City Council approval is required.

18. Approval of Change Order #1 received from Geiger Excavating for Improvement Resolution #592-1999, Southgate Phase II increasing the contract price by $73,367.90. The original contract price was $1,034,438.00. The new contract price including this change order is $1,107,805.90;

Ron Sheppard, Engineering Support Services, stated that extra work deemed necessary by Transportation Engineering Services and City Utilities were items necessary for street restoration and not included in the contract.
Denise Porter-Ross moved approval of Change Order #1 received from Geiger Excavating for Improvement Resolution #592-1999 increasing the contract price by $73,367.90. Motion carried. Contract price to be increased.

19. Approval of Sewer Contract #2002-S-11 between Pine View Land Corp. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this development is a 42 lot subdivision and said sewer to include 469± LF of 8" and 919 ± LF of 10" PVC Pipe.
Denise Porter-Ross moved approval of Sewer Contract #2002-S-11 between Pine View Land Corp. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Morgan Creek Section II. Motion carried. Sanitary sewer to be constructed.

20. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2001-S-42, Falcon Creek Sec. IV and the work performed by Scheidleman

Excavating Inc. on Sanitary Sewer Contract #2001-S-48, Falcon Creek Section V as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2001-S-42 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Pyramid Excavating, Inc. on Water Contract #2002-W-06, Harvester Ave. Water Main as an integral part of the City's water distribution system;
Denise Porter-Ross moved to accept the work performed by Pyramid Excavating, Inc. on Water Contract #2002-W-06. Motion carried. Acceptance letter to be sent.

22. Approval of Amended Resident Project Representative Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for Inspection Services;

Ron Sheppard, Engineering Support Services, apprised the Board that CH2M Hill, Inc. is performing inspection services for the Pleasant Avenue Pump Station. The Aeration Control Panel work at the WPC Plant will be commencing in the spring of 2002 and has a duration of 300 calendar days. Also, there are miscellaneous existing project activities, such as the reservoir and lift station that require on-call support and inspection services. The scope of services for this projects will be included under this agreement and will be based on the City's specific needs and requests. Compensation for Amendment I services shall not exceed $46,000.00.
Denise Porter-Ross moved approval of Amended Resident Project Representative Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for Inspection Services. Motion carried. Copy to be placed on file in vault.

23. Approval of Fort Wayne Water Pollution Control Utility General Rules and Regulations;

Mary Jane Slaton, Development Services, said that the General Rules and Regulations are in alignment with the Policy & Procedures Manual, Chapter 51, and the Design Manual for the Fort Wayne Water Pollution Control Utility.

Ted Rhinehart acknowledged the team for their hard work on this project.
Denise Porter-Ross moved approval of Fort Wayne Water Pollution Control Utility General Rules and Regulations. Motion carried. Copy to be placed on file in the Board of Public Works.

24. Approval of Warranty Deed whereas the City conveys and warrants to Z. K. Tazian Associates, Inc. 1.313 acres on Swift Drive;

Shelli Young, Property Manager stated that the Board of Public Works executed the Purchasing Agreement for this property and this legally assigns the property to Z. K. Tazian Associates, Inc.

Denise Porter-Ross moved approval of Warranty Deed whereas the City conveys and warrants to Z. K. Tazian Associates, Inc. 1.313 acres on Swift Drive. Motion carried. Copy to be placed on file in vault.

25. Approval of write-off for City Utilities Miscellaneous Delinquent Accounts in the amount of $256.89;

Denise Porter-Ross moved approval of write-off for City Utilities Miscellaneous Delinquent Accounts in the amount of $256.89. Motion carried. Write-off to be sent to a collection agency

26. Approval of Claims in the amount of $4,093,109.72;

Denise Porter-Ross moved approval of Claims in the amount of $4,093,109.72. Motion carried. Claims to be sent to the Department of Finance.

27. Approval of Barrett Law Claims in the amount of $13,375.99;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $13,375.99. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

28. Old Business:

None.

29. New Business:

(I) Approval of Acknowledgement of an Agreement between Chapel Ridge Investors & Parkview Health System to assign a percentage of the cost and capacity of the sewer system of a portion of the North Maumee Regional Sewer System within an area described as "Development Area" in the contract signed by the Board on August 22, 2001;

Jack Suter, Development Services stated that this agreement would note that the City agrees that:

- The Assignor may assign a portion of the capacity.
- The capacity is being assigned personally and the assignee may assign the capacity to others.
- Upon payment of Assignee's cost, the Assignee shall be exempt from payment of any new connection fees except to the extend of usage of 70,000 gallons per day.

Denise Porter-Ross moved approval of Acknowledgement of an Agreement between Chapel Ridge Investors & Parkview Health System to assign a percentage of the cost and capacity of the sewer system of a portion of the North Maumee Regional Sewer System within an area described as "Development Area" in the contract signed by the Board on August 22, 2001. Motion carried. Copy to be placed on file in vault.

(II) **AWARD:** Improvement Resolution #664-02, WPC Plant Sluice Gate Rehabilitation to Maddox Industrial Contractors in the amount of $261,000.00. Contract Compliance concurs with this award.
Denise Porter-Ross moved approval of award for Improvement Resolution #664-02 to Maddox Industrial Contractors in the amount of $261,000.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

(III) Approval of Inter-Local Agreement for Operation and Development of "City TV" The Governmental Access Cable Channel between the Allen County Public Library and the City of Fort Wayne;
Denise Porter-Ross moved approval of Inter-Local Agreement for Operation and Development of "City TV" The Governmental Access Cable Channel between the Allen County Public Library and the City of Fort Wayne. Motion carried. Copy to be placed on file in vault.

(IV) Approval of Amendment to Professional Services for Resurfacing Pkg. A-2002;

Ted Rhinehart stated that this work was to be done previously by the Street Department and the City decided to contract the work out. Mr. Rhinehart said that the fee is estimated not to exceed $13,500.00 based on current hourly rates.
Denise Porter-Ross moved approval of Amendment to Professional Services for Resurfacing Pkg. A-2002. Motion carried. Copy to be placed on file in vault.

(V) Approval of Escrow Agreement between the City of Fort Wayne and Widner Paving for Contract #02-01 & #02-02, Restoration of Cuts made by the Water Utility. Grabill Bank is the Escrow Agent.
Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and Widner Paving for Contract #02-01 & #02-02, Restoration of Cuts made by the Water Utility. Motion carried. Copy to be sent to the Escrow Agent.

(VI) Approval of Contract #670-02 between Geiger Excavating and the City of Fort Wayne for Independence Drive Interceptor in the amount of $249,241.80. Motion carried. Prior approval requested.
Denise Porter-Ross moved approval of Contract #670-02 between Geiger Excavating and the City of Fort Wayne in the amount of $249,241.80. Motion carried. Contract to be sent to City Council.

Mark Gensic, Planning & Design introduced Holly Miller from Purdue University who will be interning for the City of Fort Wayne.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.
Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member
ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; Marj Enders, Barrett Law, Richard Romary, TES Project Engineer. John Suarez, absent.

1. Preliminary Hearing to confirm Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern Terminus. Richard Romary is the project engineer. **REMONSTRANCE PERIOD IS UP 5:00 PM ON May 28, 2002.**

Richard Romary, Project Engineer, described the scope of the project.

Gene Pyle, 4128 Victoria Drive stated that there was a problem with ponding at the intersection of Inwood and Victoria. Valerie Colglazier, 4104 Victoria Drive said that there are sewer backups when it rains. Richard Romary said that this project would not address ponding or sewer backups, but stated that there would be an Inwood Drive Water Main project next year. Virgina Lloyd, 4111 Victoria inquired about the enforcement of downspouts. Robert Marschand, 4204 Victoria stated that he has standing water.

Ted Rhinehart stated that an alternative is to get more information from WPC Maintenance to see if backflow protectors would help. Mr. Rhinehart stated that a hydraulic study is a lengthy process and would take 1 or 2 years.
Denise Porter-Ross moved to proceed with the project and go out for bids but not award the project unless satisfied with recommendation from WPC Maintenance that this project will not contribute to the problem. Motion carried. Resolution confirmed.

Hearing adjourned at 11:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Board of Public Works
Meeting held at 9:00 a.m.
Room 920, Omni Room

Ted Rhinehart, Chairman
Denise Porter-Ross, Member
John Suarez, Member

Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, John Suarez, Carolyn Newport, BOPW; Jim Howard, City Law Department; Mark Gensic & Matthew Wirtz, Planning & Design; Bill Simmons, Water Resources; Ron Sheppard, Engineering Support Services; Jim Riemke, Street Light Engineering; Shelli Young, Property Manager; Mike Fruchey, Transportation Engineering Services. Ken Nicolet, Customer Service. Denise Porter Ross, absent.

1. **RECEIVE BIDS:** Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements;

	BASE	ALT.
ALL STAR CONST.	No Bid	$259,339.90
BUNN INC.	$316,987.60	No bid
DAFFORN EXCAVATING	No Bid	$269,367.30
FLEMING EXCAVATING	$422,176.38	No Bid

Eng. Est. - $300,00.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6869-02, Fairfield Avenue, South from Tillman Road to Fairwick Drive:

BROOKS CONST.	$237,246.20
HIPSKIND CONCRETE	$251,079.90
PRIMCO	$211,735.05
ROBBCO	$277,969.10

Eng. Est. - $265,847.50
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002-Pkg. 3;

GARCIA CONCRETE	$78,488.00
KEY CONCRETE	$77,732.40

Eng. Est. - $66,253.00
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6890-02, Chestnut Street Phase II;

NEWELL CONST. $35,665.00
Eng. Est. - $30,520.00
Transportation Engineering Services to tabulate and report.

5. AWARD: Improvement Resolution #6866-02, South Anthony Blvd. from Paulding Road to Fairfax Road to Hipskind Concrete in the amount of $199,999.99. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED; John Suarez moved approval of award for Improvement Resolution #6866-02 to Hipskind Concrete in the amount of $199,999.99. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.**

6. **IMPROVEMENT RESOLUTION #6882-02,** Chickasaw Drive: Whetstone Lane to Marias Drive:

Mario Trevino, Transportation Engineering Services said that this improvement is for spot replacement of concrete pavement, drive approaches, concrete curb, subsurface drainage improvements, storm sewer castings and restoration.
John Suarez moved approval of Improvement Resolution #6882-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/5/02.

7. **IMPROVEMENT RESOLUTION #6885-02,** Public Sidewalk Curb Ramp Pkg. 8-2002;

Mario Trevino, Transportation Engineering Services said that this is for altering existing areas, elements and facilities intended for pedestrian access by removing existing curbs, sidewalks and ramps at various locations in the Bodhe Grove Addition, Maple Downs Addition, Maple Terrace Addition and along Lynn Avenue east of Anthony.
John Suarez moved approval of Improvement Resolution #6885-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/12/02.

8. **IMPROVEMENT RESOLUTION #6891-02,** Northside-Larez Neighborhood Capital Improvement;

Mario Trevino, Transportation Engineering Services stated that this improvement is for Columbia Ave. from Dearborn St. to Tecumseh St.; and the west side of Hanna St. from Creighton Ave. to Dewald St.; and the south side of Dewald St. from Hanna St. west to the alley; both sides of Creighton Ave. from Hanna St. west to the alley by reconstruction of curbs, sidewalks, yardwalks, drive approaches as needed and construction of new ADA ramps.
John Suarez moved approval of Improvement Resolution #6891-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/12/02.

9. Approval of Construction Contract #6836-02 between Key Concrete and the City of Fort Wayne for Miscellaneous Construction Pkg. 6-A-02 in the amount of $77,795.00;
John Suarez moved approval of Construction Contract #6836-02 between Key Concrete and the City of Fort Wayne for Miscellaneous Construction Pkg. 6-A-02 in the amount of $77,795.00. Motion carried. Notice to proceed to be sent.

10. **IMPROVEMENT RESOLUTION #279-02,** Hacienda Village Street Light Improvement;

Jim Riemke, Street Light Engineering stated that a maximum of 60% of installation costs shall be assessed upon Hacienda Village Association. The balance of the project costs shall be assessed upon the City of Fort Wayne and to be paid from 2002 CEDIT Funds. An Escrow Agreement shall be signed between Hacienda Village Association and the City of Fort Wayne prior to notice to proceed.
John Suarez moved approval of Improvement Resolution #279-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/12/02.

11. **EMERGENCY RESOLUTION** for Water Utility Cuts;

Bill Simmons, Water Resources apprised the Board of the following; upon receiving the notice to proceed for the Restoration of Winter Backlog Cuts, Widner Paving, Inc. was given a 30-calendar day completion date being 4/30/02. As of 5/14/02 only 218 of the 685 cuts were restored. This Resolution determines to give another contractor the remaining 467 cuts located in the S.E. and S.W. quadrants of the City. Robbco, Inc., being the 2nd lowest bidder for this contract will be invited to restore the remaining number of cuts with his established unit prices as Robbco is willing to take on this emergency project. The cost of said restoration could exceed $144,000.00.
John Suarez moved approval of Emergency Resolution for Water Utility Cuts. Motion carried. Copy to be herein incorporated. Purchasing to issue an Emergency Purchase Order.

12. Approval of Change Order #1 received from R. E. Crosby for the New Transportation Facility decreasing the contract amount by $473.00 and Change Order #2 increasing the contract amount by $20,136.00;

Shelli Young, Property Manager apprised the Board of the following: Change Order #1 was due to omitting soil treatment and Change Order #2 was due to removal of soft soil over existing water line and removing and capping existing field tile and backfill with engineered fill.
John Suarez moved approval of Change Order #1 received from R. E. Crosby for the New Transportation Facility decreasing the contract amount by $473.00 and Change Order #2 increasing the contract amount by $20,136.00. Motion carried. The new contract price with both change order is 727,078.00.

13. Approval of Sanitary Sewer Contract #2002-S-07 between Fellowship Missionary Church and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Fellowship Missionary Church. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this project would be located at Tillman and Hessen Cassel. Mr. Suter said that the addition to the church required an extension of the sewer line.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-07 between Fellowship Missionary Church and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Fellowship Missionary Church. Motion carried. Sanitary sewer to be constructed.

14. Approval of Sanitary Sewer Contract #2002-S-13 between Falcon Creek, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Falcon Creek Sec. VI. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this 16-lot development is in Perry Township.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-13 between Falcon Creek, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Falcon Creek Sec. VI. Motion carried. Sanitary sewer to be constructed.

15. Approval of Water Contract #2002-W-03 between NPT Development Corp and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Sec. IV. This project is outside the City or Fort Wayne (PRIVATELY FUNDED/UTILITY CAPITAL)

Jack Suter, Development Services said that this is a residential development and the City would be paying for oversizing.

John Suarez moved approval of Water Contract #2002-W-03 between NPT Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Sec. IV. Motion carried. Water main systems to be constructed.

16. Approval of Water Contract #2002-W-04 between Venture Lane Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Sec. V. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

Jack Suter, Development Services remarked that this is a residential development.

John Suarez moved approval of Water Contract #2002-W-04 between Venture Lane Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Sec. V. Motion carried. Water main systems to be constructed.

17. Approval of Water Contract #2002-W-07 between Pine View Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Section II. This project is outside the City of Fort Wayne (PRIVATELY FUNDED);

    Jack Suter, Development Services said that this development is located in Washington Township.
    John Suarez moved approval of Water Contract #2002-W-07 between Pine View Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Section II. Motion carried. Water main systems to be constructed.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Sewer Contract #2001-S-44, Watersong Sec. III Ph. II Sanitary and the work performed by Kreager Brothers on Sewer Contract #2001-S-18, Parkview North Orthopaedic Sanitary as an integral part of the City's sanitary sewer system;
    John Suarez moved to accept the work performed by Fox Contractors on Sewer Contract #2001-S-44 and the work performed by Kreager Brothers on Sewer Contract #2001-S-18. Motion carried. Acceptance letters to be sent.

19. Approval of request received from Linda Blackmon to Bond the Assessment for Res. #6739-02 and from Christopher Stockamp to Bond the Assessment for Res. #6748-02.
    John Suarez moved approval of request received from Linda Blackmon to Bond the Assessment for Res. #6739-02 and from Christopher Stockamp to Bond the Assessment for Res. #6748-02. Motion carried. Acceptance letters to be sent.

20. Approval of Escrow Agreement between Hacienda Association and the City of Fort Wayne in connection with Improvement Resolution ##279-02, Hacienda Street Lighting Project.

    To be held for further review.

21. Approval of Barrett Law Claims in the amount of $5,089.04;
    John Suarez moved approval of Barrett Law Claims in the amount of $5,089.04. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

22. Approval of General Accounting Claims in the amount of $5,828,527.46;

John Suarez moved approval of General Accounting Claims in the amount of $5,828,527.46. Motion carried. General Accounting Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

(I) Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks & Recreation Dept. whereas $52,000.00 is allocated from Neighborhood CEDIT Funds for Lifetime Sports Capital Projects.
John Suarez moved Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks & Recreation Dept. whereas $52,000.00 is allocated from Neighborhood CEDIT Funds for Lifetime Sports Capital Projects. Motion carried. Copy to be placed on file in vault.

(II) Approval of Encroachment License Agreement between the City of Fort Wayne and 14/69 Auto Mall Association, Inc. to place a sign in the right-of-way of Block 2, Avenue of Autos.

Ted Rhinehart said that is was noted by Development Services that utility locates is insited with extreme caution of excavating of the foundation placement for proposed new signage.
John Suarez moved Approval of Encroachment License Agreement between the City of Fort Wayne and 14/69 Auto Mall Association, Inc. to place a sign in the right-of-way of Block 2, Avenue of Autos. Motion carried. Sign to be constructed. Encroachment License Agreement to be sent to the Allen County Recorder.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

MAY 22, 2002

1. **RECEIVE BIDS:** Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements;

2. **RECEIVE BIDS:** Improvement Resolution #6869-02, Fairfield Avenue, South from Tillman Road to Fairwick Lane;

3. **RECEIVE BIDS:** Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002 – Pkg. 3;

4. **RECEIVE BIDS:** Improvement Resolution #6890-02, Chestnut Street Phase II;

5. **AWARD:** Improvement Resolution #6866-02, South Anthony Blvd. from Paulding Road to Fairfax Road to Hipskind Concrete in the amount of $199,999.99. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED**;

6. **IMPROVEMENT RESOLUTION #6882-02,** Chickasaw Drive: Whetstone Lane to Marias Drive:

7. **IMPROVEMENT RESOLUTION #6885-02,** Public Sidewalk Curb Ramp Pkg. 8-2002;

8. **IMPROVEMENT RESOLUTION #6891-02,** Northside-Larez Neighborhood Capital Improvement;

9. Approval of Construction Contract #6836-02 between Key Concrete and the City of Fort Wayne for Miscellaneous Construction Package 6-A-02 in the amount of $77,795.00;

10. **IMPROVEMENT RESOLUTION #279-02,** Hacienda Village Street Light Improvement;

11. **EMERGENCY RESOLUTION** for Water Utility Cuts;

12. Approval of Change Order #1 received from R. E. Crosby for the New Transportation Facility decreasing the contract amount by $473.00 and Change Order #2 increasing the contract amount by $20,136.00;

13. Approval of Sanitary Sewer Contract #2002-S-07 between Fellowship Missionary Church and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Fellowship Missionary Church. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

14. Approval of Sanitary Sewer Contract #2002-S-13 between Falcon Creek, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Falcon Creek Section VI. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

15. Approval of Water Contract #2002-W-03 between NPT Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Section IV. This project is outside the City of Fort Wayne (PRIVATELY FUNDED/UTILITY CAPITAL);

16. Approval of Water Contract #2002-W-04 between Venture Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hawthorne Park Section V. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

17. Approval of Water Contract #2002-W-07 between Pine View Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Morgan Creek Section II. This project is outside the City of Fort Wayne (PRIVATELY FUNDED);

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Sewer Contract #2001-S-44, Watersong Section III Phase II Sanitary and the work performed by Kreager Brothers on Sewer Contract #2001-S-18, Parkview North Orthopaedic Sanitary as an integral part of the City's sanitary sewer system;

19. Approval of request received from Linda Blackmon to Bond the Assessment for Res. #6739-02 and from Christopher Stockamp to Bond the Assessment for Res. #6748-02;

20. Approval of Escrow Agreement between Hacienda Association and the City of Fort Wayne in connection with the Improvement Resolution #279-02, Hacienda Street Lighting Project. Wells Fargo is the Escrow Agent;

21. Approval of Barrett Law Claims in the amount of $5089.04;

22. Approval of General Accounting Claims in the amount of $5,828,527.46;

23. Old Business:

24. New Business:

Approval of Agreement between the City of Fort Wayne Board of Public Works and the City of Fort Wayne Parks and Recreation Department whereas $52,000.00 is allocated from Neighborhood CEDIT Funds for Lifetime Sports Capital Projects;

Encroachment - I-69 Clute Small

BOARD OF STORMWATER MANAGEMENT

MAY 29, 2002

1. Approval of Board of Stormwater Management Minutes of May 8, 2002.

2. **IMPROVEMENT RESOLUTION #1516-2002** approving the Constitution Drive Storm Sewer Improvement Project and Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana, for the Construction of the Constitution Drive Storm Drive Storm Sewer Improvement Project;

3. Old Business:

4. New Business:

On-Call Services
drainage complaint
Invest
Sod

BOARD OF PUBLIC WORKS AGENDA

MAY 29, 2002

1. **RECEIVE BIDS:** Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer Project – Contract A-1;

2. **RECEIVE BIDS:** Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road;

Receive 6876-02

3. **RECEIVE BIDS:** Improvement Resolution #6883-02, North Anthony Blvd.: Reversible Left Turn Lane;

4. Approval of Board of Public Works Minutes of May 15, 2002 and Public Hearing Minutes for Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern terminus. (John Suarez, absent);

5. **AWARD:** Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements to All Star Excavating for HDPE Pipe Alternate Bid in the amount of $250,744.90. Contract Compliance concurs with this award;

6. **AWARD:** Improvement Resolution #6869-02, Fairfield Ave. South: Tillman Road to Fairwick Lane to Primco Inc. in the amount of $211,735.05. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

7. **AWARD:** Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002 – Pkg. 3 to Key Concrete, Inc. in the amount of $77,732.40. Contract Compliance concurs with this award;

8. **AWARD:** Improvement Resolution #6890-02, Chestnut Street Phase II to Newell Construction Co., Inc. in the amount of $36,665.00. Contract Compliance concurs with this award;

9. Approval of Change Order #1 received from R. E. Crosby for Fire Stations #12, 16, & 17 decreasing the contract price by $32,170.00 and Change Order #2 increasing the contract price by $15,066.50. The new contract price including both change order is $3,762,396.50;

10. **IMPROVEMENT RESOLUTION #6844-02,** Baylor Drive;

11. Approval of Change Order #1 (FINAL) received from Key Concrete, Inc. for Improvement Resolution #6835-02, Felician Street Ph. II decreasing the contract price by $116.20. The original contract price was $98,837.00. The new contract price including this change order is $98,720.80;

12. Approval of Assessment Roll for Improvement Resolution #6841-02, Blackhawk Community Association Sidewalks and Drive Approaches. Property owners have waived their right to a public hearing;

13. Approval of Construction Contract #6880-02 between Primco Inc. and the City of Fort Wayne for Woodhurst Addition Ph. I in the amount of $117,558.15;

14. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Co. on Improvement #6825-02, Arlington Park Improvements as an integral part of the City's transportation system;

15. Approval of Escrow Agreement between the City of Fort Wayne and Hacienda Village Inc. for Improvement Resolution #279-02, Hacienda Village Street Light Improvement. Wells Fargo is the Escrow Agent;

16. **IMPROVEMENT RESOLUTION #1109-02,** Plaza & South Colonial Water Main Replacement;

17. Approval of Change Order #1 received from A. Hattersley & Son, Inc. for Improvement Resolution #1105-01, On-Line Processing Monitoring increasing the contract amount by $1,703.50, Change Order #2 increasing the contract amount of $6,361.00, Change Order #3 increasing the contract amount of $7,218.77, and Change Order 4 for an extension of 45 days;

18. Approval of an Easement Acquisition Agreement for the Union Chapel Road Water Main Relocation Project between the City and Griffin Real Estate. The price of the agreement is $3,800.00;

19. Approval of Professional Services Agreement between the City of Fort Wayn and Bonar Group for Camp Scott Excess Water Outlet. The agreement is for a not-to-exceed amount of $104,700.00. Planning & Design Services recommend approval;

20. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Pump Station. This agreement is for a not-to-exceed amount of $530,500.00. Planning & Design Services recommend approval;

21. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Force Main. This agreement is for a not-to-exceed amount of $139,800.00. Planning & Design Services recommend approval;

22. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Wetlands. This agreement is for a not-to-exceed amount of $105,300.00. Planning & Design Services recommend approval;

23. Approval of Time-and-Materials Consulting Service Agreement between Intergraph Corporation and the City of Fort Wayne, Indiana;

24. Approval of request received from Regina Ryckman to pay a maximum estimate of $139.61 in connection with Barrett Law project Improvement Resolution #6592-01 and request to bond the assessment from Amulfo Garcia on Improvement Resolution #6799-01;

25. Approval of Barrett Law Claims in the amount of $11,055.00;

26. Approval of General Accounting Claims in the amount of $3,329,518.46;

27. Old Business:

28. New Business:

IMPROVEMENT RESOLUTION #6878-02, Leesburg Road: Main St. to Spring Street:

IMPROVEMENT RESOLUTION #6888-02, Miscellaneous Construction Pkg. 2-B-02;

Approval of Change Order #1 (FINAL) received from Garcia Concrete Const., Inc. for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs decreasing the contract amount by $908.60;

MAY 29, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Charles Bailey & Carl Wilson, Contract Compliance; Shelli Young, Property Manager; Mark Gensic, Pat Callahan, Matthew Wirtz & Pat Callahan, Planning & Design; George Cook, Traffic Engineering; John Edwards, Bonar Group; Kevin Holle, GIS; Nancy Townsend & Mary Jane Slaton, Development Services. John Suarez, absent.

1. **RECEIVE BIDS:** Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer Project – Contract A-1;

ALL STAR CONST.	1,233,110.66
BUNN INC.	1,216,328.25
EARTH CONST.	2,030,623.00
FLEMING EXCAVATING	1,370,427.42
GEIGER DEVELOPING	1,757,162.11
GEIGER EXCAVATING	1,548,000.00
LAND, INC.	1,383,730.00

Eng. Est. - $1,549,773.00
Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road:

BROOKS CONST.	84,016.20
BUNN INC.	92,716.50
E & B PAVING	90,443.00
WAYNE ASPHALT	73,991.25

Eng. Est. - $90,650.00
Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6883-02, North Anthony Blvd: Reversible Left Turn Lane:

BROOKS CONST.	110,504.00
HIPSKIND CONCRETE	139,195.00

Eng. Est. - $111,251.50
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6876-02, Lakeshores Addn. Phase III- Lakewood Dr.:
Monterey to Hilton Dr.

BROOKS CONSTRUCTION	81,505.00
NEWELL CONSTRUCTION	67,226.50
HIPSKIND CONCRETE	71,686.00
KEY CONCRETE	67,765.00

Eng. Estimate - $61,892.00
Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of May 15, 2002 and Public Hearing Minutes for Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern terminus. (John Suarez, absent);
Denise Porter-Ross moved approval of Board of Public Works Minutes of May 15, 2002 and Public Hearing Minutes for Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to Eastern terminus. Motion carried. Minutes approved.

6. **AWARD:** Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements to All Star Excavating for HDPE Pipe Alternate Bid in the amount of $250,744.90. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements to All Star Excavating for HDPE Pipe Alternate Bid in the amount of $250,744.90. Motion carried. Notice of award to be sent. Engineering Support Services to tabulate and report.

7. **AWARD:** Improvement Resolution #6869-02, Fairfield Ave. South: Tillman Road to Fairwick Lane to Primco Inc. in the amount of $211,735.05. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
Denise Porter-Ross moved approval of Improvement Resolution #6869-02, Fairfield Ave. South: Tillman Road to Fairwick Lane to Primco Inc. in the amount of $211,735.05. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. **AWARD:** Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002 – Pkg. 3 to Key Concrete, Inc. in the amount of $77,732.40. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6879-02, Public Sidewalk Curb Ramps 2002 – Pkg. 3 to Key Concrete, Inc. in the amount of $77,732.40. Contract Compliance concurs with this award. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

9. **AWARD:** Improvement Resolution #6890-02, Chestnut Street Phase II to Newell Construction Co., Inc. in the amount of $36,665.00. Contract Compliance concurs with this award;
Denise Porter Ross moved approval of award for Improvement Resolution #6890-02, Chestnut Street Phase II to Newell Construction Co., Inc. in the amount of $36,665.00. Contract Compliance concurs with this award. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. Approval of Change Order #1 received from R. E. Crosby for Fire Stations #12, 16, & 17 decreasing the contract price by $32,170.00 and Change Order #2 increasing the contract price by $15,066.50. The new contract price including both change order is $3,762,396.50;
Shelli Young, Property Manager, said that the Architect specifications were revised causing the deduct for Change Order #1. Change Order #2 was necessary because unsuitable soils were reviewed.
Denise Porter-Ross moved approval of Change Order #1 received from R. E. Crosby for Fire Stations #12, 16, & 17 decreasing the contract price by $32,170.00 and Change Order #2 increasing the contract price by $15,066.50. Motion carried. Contract price to be adjusted.

11. **IMPROVEMENT RESOLUTION #6844-02,** Baylor Drive;

Mario Trevino, Transportation Engineering Services, said that this Resolution is for reconstruction of concrete street and drive approaches; new subsurface drainage and ADA curb ramps.
Denise Porter-Ross moved approval of Improvement Resolution #6844-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/19/02.

12. Approval of Change Order #1 (FINAL) received from Key Concrete, Inc. for Improvement Resolution #6835-02, Felician Street Ph. II decreasing the contract price by $116.20. The original contract price was $98,837.00. The new contract price including this change order is $98,720.80;

Mario Trevino, Transportation Engineering Services, said that this change order adjusts quantities to reflect actual improvements constructed.
Denise Porter-Ross moved approval of Change Order #1 (FINAL) received from Key Concrete, Inc. for Improvement Resolution #6835-02, Felician Street Ph. II decreasing the contract price by $116.20. Motion carried. Contract price to be decreased.

13. Approval of Assessment Roll for Improvement Resolution #6841-02, Blackhawk Community Association Sidewalks and Drive Approaches. Property owners have waived their right to a public hearing;
Denise Porter-Ross moved approval of Assessment Roll for Improvement Resolution #6841-02. Motion carried. Assessments to be sent.

14. Approval of Construction Contract #6880-02 between Primco Inc. and the City of Fort Wayne for Woodhurst Addition Ph. I in the amount of $117,558.15;
Denise Porter-Ross moved approval of Construction Contract #6880-02 between Primco Inc. and the City of Fort Wayne for Woodhurst Addition Ph. I in the amount of $117,558.15. Motion carried. Contract to be sent to Council.

15. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Co. on Improvement #6825-02, Arlington Park Improvements as an integral part of the City's transportation system;
Denise Porter-Ross moved to accept the work performed by Newell Construction Co., on Improvement Resolution #6825-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

16. Approval of Escrow Agreement between the City of Fort Wayne and Hacienda Village
Inc. for Improvement Resolution #279-02, Hacienda Village Street Light Improvement. Wells Fargo is the Escrow Agent;
Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and Hacienda Village Inc. for Improvement Resolution #279-02. Motion carried. Copy to be sent to the Escrow Agent.

17. **IMPROVEMENT RESOLUTION #1109-02,** Plaza & South Colonial Water Main Replacement;

Matthew Wirtz, Planning & Design, said that this project is for the construction of approximately 2,015 LF of 6" and 8" water main, 5 fire hydrants, 64 services and all appurtances necessary for this project.
Denise Porter-Ross moved approval of Improvement Resolution #1009-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/19/02.

18. Approval of Change Order #1 received from A. Hattersley & Son, Inc. for Improvement Resolution #1105-01, On-Line Processing Monitoring increasing the contract amount by $1,703.50, Change Order #2 increasing the contract amount of $6,361.00, Change Order #3 increasing the contract amount of $7,218.77, and Change Order 4 for an extension of 45 days;

Ron Sheppard, Engineering Support Services, said that Change Order #1 was for lab wall repair, Change Order #2 for electrical modifications, and #3 for air piping extension installation. Mr. Sheppard said that the time extension is due to the City not having shop drawings or submittals on the prepurchased equipment for use by the contract system subcontractor to develop their design for the panel.

Denise Porter-Ross moved approval of Change Order #1 received from A. Hattersley & Son, Inc. for Improvement Resolution #1105-01, On-Line Processing Monitoring increasing the contract amount by $1,703.50, Change Order #2 increasing the contract amount of $6,361.00, Change Order #3 increasing the contract amount of $7,218.77, and Change Order 4 for an extension of 45 days. Motion carried. Contract price to be increased and completion date extended 45 days.

19. Approval of an Easement Acquisition Agreement for the Union Chapel Road Water Main Relocation Project between the City and Griffin Real Estate. The price of the agreement is $3,800.00;

Mary Jane Slaton, Development Services mentioned that this Easement Acquisition Agreement is for a new water line and not relocation and is for acquisition for 3 easements necessary for this project.
Denise Porter-Ross moved approval of an Easement Acquisition Agreement for the Union Chapel Road Water Main Project between the City and Griffin Real Estate. Motion carried. Copy to be placed on file in vault.

20. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Excess Water Outlet. The agreement is for a not-to exceed amount of $104,700.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that facilities to be evaluated and designed under this agreement include connection to the Wetlands effluent pond outlet structure, a gravity outlet pipe, railroad crossing, termination of the outlet at a monitoring structure connecting to the existing storm sewer system, and associated controls and structures.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Excess Water Outlet. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Pump Station. This agreement is for a not-to-exceed amount of $530,500.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that this Agreement covers the design of the Camp Scott pump station and related facilities.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Pump Station. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Force Main. This agreement is for a not-to-exceed amount of $139,800.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that this covers the design of the force main between the Camp Scott pump station and the Camp Scott Wetlands.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Force Main. Planning & Design Services recommend approval. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Wetlands. This agreement is for a not-to-exceed amount of $105,300.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that this covers the design of Camp Scott Wetlands.

Denise Porter Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Camp Scott Wetlands. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Time-and-Materials Consulting Service Agreement between Intergraph Corporation and the City of Fort Wayne, Indiana;

Kevin Holle, GIS stated that this Agreement incorporates GeoMedia Professional training into the actual task of migrating the MGA date to GeoMedia.

Ted Rhinehart stated that a correction page would be added to this Agreement stating that the not to exceed fee would be $31,800.00
Denise Porter-Ross moved approval of Time-and-Materials Consulting Service Agreement between Intergraph Corporation and the City of Fort Wayne, Indiana provided the correction page is added. Motion carried. Copy to be placed on file in vault.

24. Approval of request received from Regina Ryckman to pay a maximum estimate of $139.61 in connection with Barrett Law project Improvement Resolution #6592-01 and request to bond the assessment from Amulfo Garcia on Improvement Resolution #6799-01;
Denise Porter-Ross moved approval of request received from Regina Ryckman to pay a maximum estimate of $139.61 in connection with Barrett Law project Improvement Resolution #6592-01 and request to bond the assessment from Amulfo Garcia on Improvement Resolution #6799-01. Motion carried. Maximum estimate of $139.61 to be paid by Regina Ryckman and Amulfo Garcia's request to Bond the assessment approved.

25. Approval of Barrett Law Claims in the amount of $11,055.00;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $11,055.00. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

26. Approval of General Accounting Claims in the amount of $3,329,518.46;
Denise Porter Ross moved approval of General Accounting Claims in the amount of $3,329,518.46. Motion carried. Claims to be sent to the Department of Finance.

27. Old Business:

None

28. New Business:

IMPROVEMENT RESOLUTION #6878-02, Leesburg Road: Main St. to Spring Street:

Mario Trevino, Transportation Engineering Services, said that this project is for crack & seating existing concrete pavement, asphalt milling, asphalt resurfacing, reconstruction of new curb, concrete drive approaches, concrete sidewalk, new ADA curb ramps and mulched seeding restoration.

Denise Porter-Ross moved approval of Improvement Resolution #6878-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/19/02.

IMPROVEMENT RESOLUTION #6888-02, Miscellaneous Construction Pkg. 2-B-02;

Mario Trevino, Transportation Engineering Services, stated that this improvement is for spot concrete repair to the intersections of Pawawna Drive and Maplecrest Rd.: Pawawna Drive and Kenaston Drive; Pawawna Drive and Tonawanda Court; Hubbard Run and North Hampton Place; Shadowbrook Cove Cul-de-sac; Deer Cove Cul-de-sac and 6809 through 6835 Thamesford Drive; spot concrete repair and storm sewer installation to Thoreau Avenue.
Denise Porter-Ross moved approval of Improvement Resolution #6888-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/19/02.

Approval of Change Order #1 (FINAL) received from Garcia Concrete Const., Inc. for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs decreasing the contract amount by $908.60;

Mario Trevino, Transportation Engineering Services said that this Change Order is for final adjustment of quantities.

Denise Porter-Ross moved approval of Change Order #1 (FINAL) received from Garcia Concrete Const., Inc. for Improvement Resolution #6841-02, Blackhawk Addition – Misc. Concrete Repairs decreasing the contract amount by $908.60. Motion carried. Contract price to be decreased.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Charles Bailey & Carl Wilson, Contract Compliance; Shelli Young, Property Manager; Mark Gensic, Pat Callahan, Matthew Wirtz & Pat Callahan, Planning & Design; George Cook, Traffic Engineering; John Edwards, Bonar Group; Kevin Holle, GIS; Nancy Townsend & Mary Jane Slaton, Development Services. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of May 8, 2002.
Denise Porter-Ross moved approval of Stormwater Management Minutes of May 8, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #1516-2002** approving the Constitution Drive Storm Sewer Improvement Project and Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana, for the Construction of the Constitution Drive Storm Drive Storm Sewer Improvement Project;

Jim Howard, City Law Department said that the storm sewer improvement project will be beneficial to adjacent property and is in connection with Fire Station #17. Mr. Howard said that the easement has been used since 1968.
Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1516-2002 approving the Constitution Drive Storm Sewer Improvement Project and Appropriating and Condemning Real Property for use by the City of Fort Wayne, Indiana, for the Construction of the Constitution Drive Storm Drive Storm Sewer Improvement Project. Motion carried. Copy to be herein incorporated. Hearing to be scheduled on 6/26/02.

3. Old Business:

None.

4. New Business:

On Call Services Agreement – Drainage Complaint Investigation between the City of Fort Wayne and Gove Associates, Inc.

Nancy Townsend, Development Services said that the purpose of this Agreement is to concept, design and inspect the smaller-scale stormwater management projects for the City of Fort Wayne, City Utilities. The on-call services will assist the Utility by relieving a backlog of citizen drainage complaints.

Denise Porter-Ross moved approval of On Call Services Agreement – Drainage Complaint Investigation between the City of Fort Wayne and Gove Associates, Inc. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

JUNE 5, 2002

1. **RECEIVE BIDS:** Improvement Resolution #665-02, North Drive-Reed Road Storm Drainage Improvement;

2. **RECEIVE BIDS:** Improvement Resolution #6845-02, Sherborne Blvd. Phase II: Hastings Road to Vance Avenue;

3. **RECEIVE BIDS:** Improvement Resolution #6867-02, Courtwood/Kirkfield Drive;

4. **RECEIVE BIDS:** Improvement Resolution #6881-02, Allendale Drive: Belle Vista to Gilbert Drive;

5. **RECEIVE BIDS:** Improvement Resolution #6882-02, Chickasaw Drive: Whetstone Lane to Marias Drive;

6. **RECEIVE BIDS:** Improvement Resolution #6884-02, Public Sidewalk Curb Ramp – Package 7;

7. **RECEIVE BIDS:** Improvement Resolution #6889-02, Ewing St. from Jefferson Blvd. to Main Street;

8. Approval of Board of Public Works Minutes of May 22, 2002 (Denise Porter-Ross absent) and May 29, 2002 (John Suarez, absent);

9. **AWARD:** Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road to Wayne Asphalt in the amount of $73,991.25. Contract Compliance concurs with this award.

10. **AWARD:** Improvement Resolution #6876-02, Lakeshores Addition Phase III – Lakewood Drive: Monterey Drive to Hiltonia Drive to Newell Construction Co, Inc. in the amount of $67,226.50. Contract Compliance concurs with this award;

11. **AWARD:** Improvement Resolution #6883-02, North Anthony Blvd.: Reversible Turn Lane to Brooks Construction Co., Inc. in the amount of $110,504.00. Contract Compliance concurs with this award. **PRIOR APPROVAL IS REQUESTED;**

12. **IMPROVEMENT RESOLUTION #6893-02,** Ardmore Avenue: Lower Huntington Road to Covington Road;

13. Approval of Agreement between the City of Fort Wayne and CrossRoad Engineering, PC to provide professional services to the Scope (Study)Report of improvements to Paulding Road: Lafayette St. to Anthony Blvd. Proposed improvements include: pavement rehabilitation and curb ramps. Compensation for services performed shall be a not-to-exceed fee of $11,400.00. City Engineering recommends approval;

14. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional Services for the engineering design of improvements to Calhoun Street Railroad Viaduct. Proposed improvements include: general clearing; handrail upgrade; cement concrete surface coating; street lighting; traffic impact alternatives; column curb installation. Compensation for services performed shall be a lump sum fee of $29,400.00. City Engineering recommends approval;

15. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental investigation of soil and groundwater conditions at Basin C, Wastewater Treatment Plant. This includes four soil borings, testing, analysis and report to IDEM. Compensation for services performed shall be a not-to-exceed fee of $6,800.00. City Engineering recommends approval.

16. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement Resolution #6804-01, West Jefferson Blvd. – Viaduct to St. Marys River increasing the contract amount by $58,943.00. The original contract price was $1,276,716.77 and the new contract price including this change order is $1,335,659.77;

17. Approval of Construction Contract #6854-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Sherwood Terrace: Hartman Road to Stratford Road in the amount of $113,568.75;

18. Approval of Construction Contract #6860-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Prange Drive: Beaver Avenue to Tacoma Avenue in the amount of $72,456.50;

19. Approval of Change Order #1 received from Peerless Midwest, Inc. for Improvement Resolution #1104-02, Northwest Water Booster Station Upgrade increasing the contract price by $15,240.00. The original contract price was $98,440.00. The new contract price including this change order is $113,680.00;

20. Approval of Professional Engineering Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates, PC for Hurshtown Reservoir Embankment Repairs. The not-to-exceed fee for this agreement is $91,087.84. Planning & Design Services recommend approval;

21. Approval of Amendment #1 to Agreement between the City of Fort Wayne, Indiana and DLZ, Indiana, LLC for Union Chapel Road Water Main Extension. The amendment is an increase of $13,300.00. for additional work desired by the City, and will increase the not-to-exceed amount for this contract to $57,100.00. Planning & Design Services recommend approval;

22. Approval of Sanitary Sewer Contract #2002-S-12 between Burns Farms, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bass Road Sanitary – Morsches Property. This project is outside

the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

23. Approval of Sanitary Sewer Contract #2002-S-17 between the City of Fort Wayne, Indiana and the Bass Road Investment Group to construct Neuhaus Main Extension. This project is outside the City. This project is in a green zone (PRIVATE/UTILITY CAPITAL FUNDS);

24. Approval of Construction Contract #664-02 between the City of Fort Wayne and Maddox Industrial Contracts for Improvement Resolution #664-02, WPC Plant Sluice Gate Rehabilitation in the amount of $261,000.00 and Escrow Agreement for same. The Escrow Agent is National City Bank of Indiana;

25. Approval of Escrow Agreement between the City of Fort Wayne and Geiger Excavating for Improvement Resolution #670-02, Independence Drive Interceptor. The Escrow Agent is Tower Bank;

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Jim Mutton on Water Contract #2000-W-15, Edgewood Estates – North Addition Water Main Extension as an integral part of the City's water distribution system;

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating, Inc. on Sewer Contract #592-99, Southgate Area Detention Basin Phase I as an integral part of the City's sanitary sewer system;

28. Approval of General Accounting Claims in the amount of $6,987,880.43;

29. Old Business:

30. New Business:

Construction Contract #6890-02 between Newell Construction Co., Inc. and the City of Fort Wayne for Chestnut Street Phase II in the amount of $36,665.00.

Emergency Resolution for sewer repair on St. Joe Road;

Emergency Resolution for sewer repair on Clubview Drive;

Approval of write-off of delinquent revenue accounts received from General Accounting for the amount of March, 2002 in the amount of $17,713.96;

Maria Awards
Pub Sid Proj 6884 T-Key - 93,775.00
All vote to award - based on apparent low bidder - Shaw - Wayne 304,011.50 Prior
Capt. Brooks 279,065.16 - Prior
Chickasaw - GE Mikear 48,995.20

JUNE 5, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; Mark Gensic & Matthew Wirtz, Paul Powers & Mike Thornson; Planning & Design; David Ross, City Engineer; Mary Jane Slaton & Jack Suter, Development Services; Charles Bailey& Carl Wilson, Contract Compliance; Mario Trevino, Vic Bobay, Kevin Okleshen, Richard Romary, Transportation Engineering Services; Ron Sheppard, Engineering Support Services; Jack Suter Development Services.

1. **RECEIVE BIDS:** Improvement Resolution #665-02, North Drive-Reed Road Storm Drainage Improvement;

	BASE	ALT.
CROSBY EXCAVATING	346,223.00	327,602.50
DAFFORN EXCAVATING	459,707.39	424,640.54
FLEMING EXCAVATING	399,970.34	390,333.94
GEIGER EXCAVATING	498,000.00	488,000.00
LAND, INC.	406,903.00	394,191.00
Eng. Est.	$440,605.00	$421,555.000

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6845-02, Sherborne Blvd. Ph. II: Hastings Rd. to Vance Avenue;

ALL STAR CONST.	313,356.10
BROOKS CONST.	393,081.75
FLEMING EXCAVATING	366,621.34
WAYNE ASPHALT	304,011.50

Eng. Est. - $309,300.50
Transportation Engineering Services to tabulate and make recommendation under new business for award.

3. **RECEIVE BIDS:** Improvement Resolution #6867-02, Courtwood/Kirkfield Drive;

BROOKS CONST.	279,065.15
WAYNE ASPHALT	285,454.50

Eng. Est. - $244,472.60
Transportation Engineering Services to tabulate and make recommendation under new business for award.

4. **RECEIVE BIDS:** Improvement Resolution #6881-02, Allendale Drive: Belle Vista to Gilbert Drive;

BROOKS CONSTRUCTION	176,531.75
HIPSKIND	176,349.50
WAYNE ASPHALT	173,759.00

Eng. Estimate - $176,424.50
Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6882-02, Chickasaw Drive: Whetstone Lane to Marias Drive:

HIPSKIND CONCRETE	52,013.50
KEY CONCRETE	49,818.00
G. E. MINEAR	48,995.20

Eng. Est. - $37,599.00
Transportation Engineering Services to tabulate and make recommendation under new business for award.

6. **RECEIVE BIDS:** Improvement Resolution #6884-02, Public Sidewalk Curb Ramp Package 7;

HIPSKIND CONCRETE	95,708.00
KEY CONCRETE	93,775.00

Eng. Estimate - $87,368.75
Transportation Engineering Services to tabulate and make recommendation under new business for award.

7. **RECEIVE BIDS:** Improvement Resolution #6889-02, Ewing St. from Jefferson Blvd. to Main Street;

BROOKS CONST.	203,400.98
PRIMCO INC.	314,016.33

Eng. Est. - $250,553.71
City Engineering to tabulate and report.

8. Approval of Board of Public Works Minutes of May 22, 2002 (Denise Porter-Ross absent) and May 29, 2002 (John Suarez, absent);
John Suarez moved approval of Board of Public Works Minutes of May 22, 2002 and Denise Porter-Ross moved approval of Minutes of May 20, 2002. Motion carried. Minutes approved.

9. **AWARD:** Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road to Wayne Asphalt in the amount of $73,991.25. Contract Compliance concurs with this award.

Denise Porter-Ross moved approval of award for Improvement Resolution #6871-02 to Wayne Asphalt in the amount of $73,991.25. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

10. **AWARD:** Improvement Resolution #6876-02, Lakeshores Addition Phase III – Lakewood Drive: Monterey Drive to Hiltonia Drive to Newell Construction Co, Inc. in the amount of $67,226.50. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6876-02 to Newell Const. Co., Inc. in the amount of $67,226.50. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

11. **AWARD:** Improvement Resolution #6883-02, North Anthony Blvd.: Reversible Turn Lane to Brooks Construction Co., Inc. in the amount of $110,504.00. Contract Compliance concurs with this award. **PRIOR APPROVAL IS REQUESTED;**
Denise Porter-Ross moved approval of award for Improvement Resolution #6883-02 to Wayne Asphalt in the amount of $110,504.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **IMPROVEMENT RESOLUTION #6893-02,** Ardmore Avenue: Lower Huntington Road to Covington Road;

David Ross, City Engineer said that this improvement is for Ardmore Avenue from Huntington Rd. to Covington Rd. by Asphalt Pavement Milling, patching, wedge and leveling, resurfacing marking and other related work.
John Suarez moved approval of Improvement Resolution #6893-02. Motion carried. Copy to be herein incorporated. Bids to be received on 6/27/02.

13. Approval of Agreement between the City of Fort Wayne and CrossRoad Engineering, PC to provide professional services to the Scope (Study) Report of improvements to Paulding Road: Lafayette St. to Anthony Blvd. Proposed improvements include: pavement rehabilitation and curb ramps. Compensation for services performed shall be a not-to-exceed fee of $11,400.00. City Engineering recommends approval;
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and CrossRoad Engineering, PC to provide professional services to the Scope (Study) Report of improvements to Paulding Road: Lafayette St. to Anthony Blvd. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional Services for the engineering design of improvements to Calhoun Street Railroad Viaduct. Proposed improvements include: general clearing; handrail upgrade; cement concrete surface coating; street lighting; traffic impact alternatives; column curb installation. Compensation for services performed shall be a lump sum fee of $29,400.00. City Engineering recommends approval;

Removed for further review.

15. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental investigation of soil and groundwater conditions at Basin C, Wastewater Treatment Plant. This includes four soil borings, testing, analysis and report to IDEM. Compensation for services performed shall be a not-to-exceed fee of $6,800.00. City Engineering recommends approval.

David Ross, City Engineer apprised the Board of the following: as a preliminary investigation, SES Environmental recommends initially advancing 4 soil borings and installing 4 permanent groundwater monitor wells at locations surrounding the underground storage tank area. Two additional borings/wells are anticipated after groundwater flow direction is determined. These two wells will be positioned hydraulically downgradient from the tank area to assess how far fuel contaminants have migrated from the tank area.
John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental investigation of soil

and groundwater conditions at Basin C, Wastewater Treatment Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement Resolution #6804-01, West Jefferson Blvd. – Viaduct to St. Marys River increasing the contract amount by $58,943.00. The original contract price was $1,276,716.77 and the new contract price including this change order is $1,335,659.77;

    Mario Trevino, Transportation Engineering Services stated that the Department of Economic Development requested that conduit for Broadband Communications be provided in this project. Mr. Trevino said that in order to provide ample room to accommodate broadband communications and signal interconnect, a 4-inch galvanized conduit is required.
    Denise Porter-Ross moved approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement Resolution #6804-01, West Jefferson Blvd. – Viaduct to St. Marys River increasing the contract amount by $58,943.00. Motion carried. Contract price to be increased.

17. Approval of Construction Contract #6854-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Sherwood Terrace: Hartman Road to Stratford Road in the amount of $113,568.75;
    John Suarez moved approval of Construction Contract #6854-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Sherwood Terrace: Hartman Road to Stratford Road in the amount of $113,568.75. Motion carried. Contract to be sent to City Council.

18. Approval of Construction Contract #6860-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Prange Drive: Beaver Avenue to Tacoma Avenue in the amount of $72,456.50;
    John Suarez moved approval of Construction Contract #6860-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Prange Drive: Beaver Avenue to Tacoma Avenue in the amount of $72,456.50. Motion carried. Notice to proceed to be sent.

19. Approval of Change Order #1 received from Peerless Midwest, Inc. for Improvement Resolution #1104-02, Northwest Water Booster Station Upgrade increasing the contract price by $15,240.00. The original contract price was $98,440.00. The new contract price including this change order is $113,680.00;

    Paul Powers, Planning & Design Services apprised the Board of the following: during pump vibration testing of Pump No. 4, it was noted that new pump bowls could provide the ability to lower the ground storage tank an additional 10-12 feet. This work would be accomplished with the planned installation of a vortex suppression inlet on Pump No. 4. Start-up assistance was requested by City personnel for the Robicon variable frequency drives because of difficulties in interfacing the new VFD equipment with the existing pump controls.
    Denise Porter-Ross moved approval of Change Order #1 received from Peerless Midwest, Inc. for Improvement Resolution #1104-02, Northwest Water Booster Station Upgrade increasing the contract price by $15,240.00. Motion carried. Contract price to be increased.

20. Approval of Professional Engineering Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates, PC for Hurshtown Reservoir Embankment Repairs. The not-to-exceed fee for this agreement is $91,087.84. Planning & Design Services recommend approval;

    Removed for further review.

21. Approval of Amendment #1 to Agreement between the City of Fort Wayne, Indiana and DLZ, Indiana, LLC for Union Chapel Road Water Main Extension. The amendment is an increase of $13,300.00. for additional work desired by the City, and will increase the not-to-exceed amount for this contract to $57,100.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design said that by increasing the scope of work, the project would complete more proposed water main along Union Chapel, and by coordinating the proposed water main construction with the Allen County roadway work, the project will be more efficient for the City and the construction less intrusive to the property owners in the area.
John Suarez moved approval of Amendment #1 to Agreement between the City of Fort Wayne, Indiana and DLZ, Indiana, LLC for Union Chapel Road Water Main Extension. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Sanitary Sewer Contract #2002-S-12 between Burns Farms, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bass Road Sanitary – Morsches Property. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this sewer extends south across Bass Road and would just serve one lot at this time.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-12 between Burns Farms, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bass Road Sanitary – Morsches Property. Motion carried. Sanitary sewer system to be constructed.

23. Approval of Sanitary Sewer Contract #2002-S-17 between the City of Fort Wayne, Indiana and the Bass Road Investment Group to construct Neuhaus Main Extension. This project is outside the City. This project is in a green zone (PRIVATE/UTILITY CAPITAL FUNDS);

Greg Meszaros, Chief of Engineering apprised the Board of the following: the total estimated cost of the sewer is $775,000.00. The Investor will reimburse the City for easements, engineering and inspection and said costs are estimated not-to-exceed $200,000. The City will reimburse Investor for the oversizing of the size of the sewer facility from a 12-inch sewer to a 24-inch sewer at the time of Acceptance. Said cost is estimated not-to-exceed $300,000. The proposed sewer will serve an emerging growth area along Bass Road.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-17 between the City of Fort Wayne, Indiana and the Bass Road Investment Group to construct Neuhaus Main Extension. Motion carried. Sanitary Sewer Contract to be sent to City Council.

24. Approval of Construction Contract #664-02 between the City of Fort Wayne and Maddox Industrial Contracts for Improvement Resolution #664-02, WPC Plant Sluice Gate Rehabilitation in the amount of $261,000.00 and Escrow Agreement for same. The Escrow Agent is National City Bank of Indiana;
John Suarez moved approval of Construction Contract #664-02 between the City of Fort Wayne and Maddox Industrial Contracts for Improvement Resolution #664-02, WPC Plant Sluice Gate Rehabilitation in the amount of $261,000.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

25. Approval of Escrow Agreement between the City of Fort Wayne and Geiger Excavating for Improvement Resolution #670-02, Independence Drive Interceptor. The Escrow Agent is Tower Bank;
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Geiger Excavating for Improvement Resolution #670-02, Independence Drive Interceptor. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Jim Mutton on Water Contract #2000-W-15, Edgewood Estates – North Addition Water Main Extension as an integral part of the City's water distribution system;
Denise Porter-Ross moved to accept the work performed by Jim Mutton on Water Contract #2000-W-15. Motion carried. Acceptance letter to be sent.

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating, Inc. on Sewer Contract #592-99, Southgate Area Detention Basin Phase I as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Fleming Excavating, Inc. on Improvement Resolution #592-99. Motion carried. Acceptance letter to be sent.

28. Approval of General Accounting Claims in the amount of $6,987,880.43;
John Suarez moved approval of General Accounting Claims in the amount of $6,987,880.43. Motion carried. Claims to be sent to the Department of Finance.

29. Old Business:

None

30. New Business:

Construction Contract #6890-02 between Newell Construction Co., Inc. and the City of Fort Wayne for Chestnut Street Phase II in the amount of $36,665.00.
Denise Porter-Ross moved approval Construction Contract #6890-02 between Newell Construction Co., Inc. and the City of Fort Wayne for Chestnut Street Phase II in the amount of $36,665.00. Motion carried. Contract to be sent to City Council.

Emergency Resolution for sewer repair on St. Joe Road;

Greg Meszaros, Chief of Engineering said that an existing 18" CMP storm line has collapsed under St. Joe Road at Rebecca Street and is undermining St. Joe Road resulting in this Resolution.
Denise Porter-Ross moved approval of Emergency Resolution for sewer repair on St. Joe Road. Motion carried. Emergency purchase order to be issued to the contractor chosen for said repair.

Emergency Resolution for sewer repair on Clubview Drive;

Greg Meszaros, Chief of Engineering stated that an existing 15" PCP sanitary line has collapsed, east of Clubview Drive resulting in this Resolution.
John Suarez moved approval of Emergency Resolution for said repair on Clubview Drive. Motion carried. Emergency purchase order to be issued to the contractor chosen for said repair.

Approval of write-off of delinquent revenue accounts received from General Accounting for the month of March, 2002 in the amount of $17,713.96;
Denise Porter-Ross moved approval of write-off of delinquent revenue accounts received from General Accounting for the month of March, 2002 in the amount of $17,713.96. Motion carried. Delinquent revenue accounts to be sent to a collection agency.

Mario Trevino, Transportation Engineering Services said that award for the following projects were recommended;

Res. #6845-02, Sherborne Blvd. Ph. II – Wayne Asphalt - $304,011.50 (Prior Approval requested)
Res. #6867-02, Courtwood/Kirkfield Drive – Brooks Const. Co., - $279,065.15 (Prior Approval requested)
Res. #6882-02, Chickasaw Drive – G. E. Minear - $48,995.20
Res. #6884-03, Public Sidewalk Curb Ramp-Pkg. 7 – Key Concrete $93,775.00
Denise Porter-Ross moved approval of above-mentioned awards to said contractors as listed. Motion carried. Notices of award to be sent. Transportation Engineering Services to prepare contracts.

Meeting adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT

JUNE 12, 2002

1. Approval of Board of Stormwater Management Minutes of May 29, 2002;

2. **IMPROVEMENT RESOLUTION #1517-2002,** Kirkwood Park-Springfield Avenue & Rolston Street Drainage Improvement;

3. Old Business:

4. New Business:

42. Approval of Sewer Contract #2002-S-19 between PT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

43. Approval of Sewer Contract #2002-S-20 between Oakmont Development Co. LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

44. Approval of Sewer Contract #2002-S-23 between Mill Ridge Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hunters Point Section IV. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

45. Approval of Sewer Contract #2002-S-24 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Timberon Section II Phase II Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

46. Approval of Water Contract #2002-W-08 between Mill Ridge Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hunters Point Section IV. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

47. Approval of Construction Contract #1006-01 between Fleming Excavating and the City of Fort Wayne for Hurshtown Reservoir North Bank in the amount of $296,273.00 and Escrow Agreement for same. Decatur Bank & Trust Co. is the Escrow Agent;

48. Approval of Authorization of Release of Escrow received from Indiana Construction Corp. for Contract #617-2000, Fort Wayne WPCP Water System Improvements. The Escrow Agent is Tower Bank;

49. Approval of Escrow Agreement received from All Star Construction for Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements. Lake City Bank is the Escrow Agent;

50. Approval of General Accounting Claims for the week of June 19, 2002 in the amount of $ 6,064,802.81 and for the week of June 26, 2002 in the amount of $4,446,031.42;

51. Approval of Barrett Law Claims in the amount of $24,057.66;

52. Old Business:

53. New Business;

Approval of Agreement between BKD and the City of Fort Wayne for Auditing the Financial Statements of City of Fort Wayne Utilities as of and for the years ended Dec. 31, 2002, 2003, and 2004.

16. **IMPROVEMENT RESOLUTION #6894-02,** Public Sidewalk Curb Ramp Intersections 2002 Pkg. I;

17. **IMPROVEMENT RESOLUTION #6896-02,** Indiana Avenue & Rudisill Blvd. Intersection;

18. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6803-01, Bloomingdale Neighborhood Improvements increasing the contract price by $11,179.68. The original contract price was $199,127.50. The new contract price including this change order is $210,307.18;

19. Approval of Change Order #1 & FINAL received from Widner Paving for Improvement Resolution #6815-02, Miscellaneous Construction Package 2-A-01 decreasing the contract amount by $5,466.36. The original contract price was $36,802.50. The new contract price including this change order is $31,336.14;

20. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6839-02, St. Martins Street increasing the contract amount by $1,284.35. The original contract price was $29,455.00. The new contract price including this change order is $30,739.35;

21. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6862-02, Miscellaneous Construction Package 4-A-02 increasing the contract price by $2,007.12. The original contract price was $74,769.00. The new contract price including this change order is $76,776.12;

22. Approval of Assessment Roll for Improvement Resolution #6815-02, Misc. Construction Pkg. 2-A-01. Property Owners have waived their right to a public hearing;

23. Approval of Construction Contract #6830-02 between Bunn Excavating and the City of Fort Wayne for Jefferson Blvd. West at Freeman Street in the amount of $105,248.25;

24. Approval of Construction Contract #6845-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Sherborne Blvd. Phase II: Hastings Rd. to Vance Ave. in the amount of $304,011.50;

25. Approval of Construction Contract #6850-02 between Garcia Concrete Construction and the City of Fort Wayne for Wohoma Drive: Maplewood to Hopewell in the amount of $38,641.86;

26. Approval of Construction Contract #6859-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Packard Avenue: South Wayne to Indiana in the amount of $55,636.75;

27. Approval of Construction Contract #6867-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Courtwood Dr. & Kirkfield Dr. in the amount of $279,065.15;

28. Approval of Construction Contract #6881-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Allendale Drive: Belle Vista to Gilbert Drive in the amount $173,759.00;

BOARD OF PUBLIC WORKS AGENDA

JUNE 12, 2002

1. **RECEIVE BIDS:** Improvement Resolution #279-02, Hacienda Village Street Light Improvement;

2. **RECEIVE BIDS:** Improvement Resolution #1106-01, Three Rivers Filtration Plant Hurshtown Embankment Repairs – 2002;

3. **RECEIVE BIDS:** Improvement Resolution #6885-02, Public Sidewalk Curb Ramp, Pkg. 8-2002;

4. **RECEIVE BIDS:** Improvement Resolution #6891-02, Northside/Larez Neighborhood Capital Improvement;

5. Approval of Board of Public Works Minutes of June 5, 2002;

6. AWARD: Improvement Resolution #6881-02, Allendale Drive to Wayne Asphalt in the amount of $173,759.00. Contract Compliance concurs with this award **(PRIOR APPROVAL REQUESTED);**

7. Approval of Access Channel Originator Grant Recipient Contracts between the Editorial Board City-TV and the Board of Public Works and the following:

   - City of Fort Wayne City-TV CH 58
   - Allen County Public Library
   - Fort Wayne Community Schools
   - Indiana University-Purdue University Fort Wayne

8. **RESOLUTION** of The Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water Systems;

9. Approval of Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to provide professional services for the design of improvements to Wayne Trace: Oxford Street to McKee Street. Proposed improvements include: pavement reconstruction and widening to provide a bi-directional center left turn lane; curb and sidewalk construction, storm drainage facilities. Compensation for services performed shall be not-to-exceed fee of $118,256.00. City Engineering recommends approval;

10. Approval of Standard Highway Utility Agreement between the Indiana Department of Transportation and the City of Fort Wayne in connection with US 33, Added Travel Lanes from US 30 to Cook Road and Subordination Agreement for same;

11. Approval of Encroachment License Agreement between the City of Fort Wayne and Fifth Third Bank to place an awning to encroach into the right-of-way at 132 E. Berry Street. The Encroachment License Agreement Committee recommends approval;

12. **IMPROVEMENT RESOLUTION #6892-02,** Liberty Development;

13. Approval of Change Order #received from All Star Construction & Excavating for Improvement Resolution #6736-01, Clinton Street – Coldwater to Coliseum increasing the contract price by $54,925.28. The original contract price was $776,888.50. The new contract price including this change order is $831,813.78;

14. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program Year 2001 increasing the contract price by $1,019.99. The original contract price was $51,166.00. The new contract price including this change order is $52,185.99;

15. Approval of Change Order #1 & Final received from Key Concrete for Improvement Resolution #6828-02, West State Blvd.: Tyler to Poinsette decreasing the contract price by $6,509.87. The original contract price was $96,740.25. The new contract including this change order is $90,230.38;

16. Approval of Construction Contract #6869-02 between Primco Inc. and the City of Fort Wayne for Fairfield Avenue South: Tillman Road to Fairwick Lane in the amount of $211,735.05;

17. Approval of Construction Contract #6879-02 between Key Concrete Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramps 2002-Pkg. 3 in the amount of $77,732.40;

18. Approval of recommendation received from Transportation Engineering Services to accept the work by Key Concrete, Inc. on Improvement Resolution #6828-02, West State Blvd. as an integral part of the City's transportation system;

19. Approval of Professional Services Agreement between the City of Fort Wayne and Butler, Fairman & Seufert for Cell 13 Water and Sewer Master Planning. The not-to-exceed amount for this contract is $36,500.00. Planning & Design Services recommend approval;

20. Approval of Professional Services Agreement between the City of Fort Wayne and D. A. Brown Engineering Consultants, Inc. for the design of the Neuhaus Interceptor Extension – Phase II. The not-to-exceed amount for this contract is $143,000.00. Planning & Design Services recommend approval;

21. Approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates, P. C. for Hurshtown Reservoir – 2002 Project. The not-to-exceed fee for this agreement is $91,087.84. Planning & Design Services recommend approval;

22. Approval of Amendment #1 to Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for McMillen Park North Storm Sewer Design Contract. Planning & Design Services recommend approval;

23. Approval of Sewer Contract #2002-S-15 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VI Phase I & II. This project is outside the City. This contract contains provisions of remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

24. Approval of Sewer Contract #2002-S-19 between PT Development Corp. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer system to serve Seven Oaks Section VII. This project is outside the City. This contract contains provisions of remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

25. Approval of Sewer Contract #2002-S-20 between Oakmont Development Co., LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

26. Approval of Change Order #2 and FINAL received from Indiana Construction Corp. for Improvement Resolution #617-00, WPC Plant Water Systems Improvements decreasing the contract price by $10,000.00. The original contract price was $317,000.00. The new contract price including this change order is $309,400.00;

27. Approval of Change Order #1 & FINAL received from Ness Excavating on Improvement Resolution #1093-01, Coliseum/Hillegas Water Main increasing the contract price by $1,134.00. The original contract price was $87,180.00. The new contract price including this change order is $88,314.00;

28. Approval of Construction Contract #1100-02 between All Star Construction and the City of Fort Wayne for Charlotte Avenue Water Main Improvements in the amount of $250,744.90;

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #2001-S-53, Thistlewaite Sewer Extension as an integral part of the City's sanitary sewer system;

31. Approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Excavating, Inc. on Water Contract #1085-01, Colony Drive Water Main Replacement as an integral part of the City's water main system;

32. Approval of General Accounting Claims in the amount of $ 4,305,512.22 ;

33. Old Business:

34. New Business:

AWARD: Improvement Resolution #6889-02, Ewing Street: Jefferson Blvd. to Main Street to Brooks Const. Co., Inc. in the amount of $203,400.98. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED**;

Construction Contract #6876-02 between Newell Const. Co., Inc. and the City of Fort Wayne for Lakeshores Addn., Ph. III – Lakewood Drive: Monterey Drive to Hiltonia Drive in the amount of $67,226.50;

Approval of Release of Escrow received from Indiana Construction for the Chemical Feed Project in the amount of $10,000.00. The Escrow Agent is National City Bank;

IMPROVEMENT RESOLUTION #6886-02, Coldwater Road & Washington Center Road Intersection;

D. award: 1106-02

Flemming
#296,273. just lease bid

JUNE 12, 2002

#1

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; George Cook, Traffic/Street Light Engineering; John Perlich, Public Information/Utilities/BOW; Charles Bailey & Carl Wilson, Contract Compliance; Mary Jane Slaton, Nancy Townsend, & Jack Suter, Development Services; Jim Howard, City Law Dept.; Ron Sheppard & Bill Maxwell, Engineering Support Services; Pat Callahan, Mike Hicks, Planning & Design.

1. **RECEIVE BIDS:** Improvement Resolution #279-02, Hacienda Vil. St. Light Improvement;

ROBERT HENRY	78,863.90
LIGHTS & SIGNALS	59,947.75

Eng. Est. - $113,662.10
Street Light Engineering to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1106-02, Hurshtown Embankment Repairs – 2002

	BASE	ALT.
BERCOT INC.	378,913.00	135,462.00
FLEMING EXCAVATING	296,273.00	99,028.70
Eng. Est. -	$284,020.00	Alt. - $98,255.00

Engineering Support Services to tabulate and make recommendation under new business.

3. **RECEIVE BIDS:** Improvement Resolution #6885-02, Public Sidewalk Curb Ramp, Pkg. 8-2002

HIPSKIND CONCRETE	149,729.00
KEY CONCRETE	138,140.00

Eng. Est. - $130,407.00
Transportation Engineering Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6891-02, Northside/Larez Neighborhood: Columbia Avenue: Dearborn to Tecumseh

HIPSKIND CONCRETE	93,827.00
KEY CONCRETE	76,058.00

Eng. Estimate - $70,518.00
Transportation Engineering Services to tabulate and report.

5. Approval of Board of Public Works Minutes of June 5, 2002;
Denise Porter-Ross moved approval of Board of Public Works Minutes of June 5, 2002. Motion carried. Minutes approved.

6. AWARD: Improvement Resolution #6881-02, Allendale Drive to Wayne Asphalt in the amount of $173,759.00. Contract Compliance concurs with this award **(PRIOR APPROVAL REQUESTED); John Suarez moved approval of award for Improvement Resolution #6881-02 to Wayne Asphalt in the amount of $173,759.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.**

7. Approval of Access Channel Originator Grant Recipient Contracts between the Editorial Board City-TV and the Board of Public Works and the following:

   - City of Fort Wayne City-TV CH 58
   - Allen County Public Library
   - Fort Wayne Community Schools
   - Indiana University-Purdue University Fort Wayne

   Denise Porter-Ross moved approval of Access Channel Originator Grant Recipient Contracts between the Editorial Board City-TV and the Board of Public Works for the above-mentioned Access Channel Originator Grant Recipient Contracts. Motion carried. Copy to be placed on file in vault.

8. **RESOLUTION** of The Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water Systems;

   Ted Rhinehart apprised the Board of the following: On January 14, 2002 the City made an Offer to Purchase the North System water and sewer assets of Utility Center doing business as "AquaSource," for the estimated fair market value of their North System, of $10,000,000.00

   That offer was not accepted by the Pittsburgh-based parent corporation of AquaSource, so the City is proceeding to the next step in the condemnation process, in order to protect the City's interests in this matter.

   Many of the North System AquaSource customers are in the City limits, or in areas to be annexed into Fort Wayne in the near future. They will be receiving City of Fort Wayne fire protection, as well as City solid waste, storm water and sewer and sewer service. Many of the AquaSource water customers have complained about low pressure or rusty water, and our Fire Department has expressed concerns about inadequate fire flows at some locations.

   Because of concerns about service quality and reliability to current or future residents of Fort Wayne, and because of concerns about fire protection and costs, the City believes it can best serve these businesses and residences are part of a municipal system.

   The City considers the $10 million offer to be very fair as it was based on the purchase price AquaSource paid for its system, which it acquired from Utility Center a few years ago, plus investments they have made in the last couple of years to upgrade parts of that system. It equates to about $1500 per water and/or sewer customer, a solid median rage for a system like Utility Center's North System.

   On May 28, Pittsburgh-based DQE, the parent corporation of AquaSource, announced that it would be re-focusing on its energy assets, and would divert itself of its "non-core, under performing assets," including its water and wastewater businesses.

   Ted Rhinehart asked for comments from the floor. There was no response from the floor.

   Ted Rhinehart emphasized that this is not a hostile takeover and that the City desires that an agreement be reached.

   Mr. Rhinehart said that an administrative hearing has been set for July 3, 2002 at 9:00 a.m. in the Omni Room of the City County Building.

   Denise Porter-Ross moved approval of Resolution of the Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Real and Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water Systems. Motion carried. Hearing set for July 3, 3002 at 9:00 a.m. in the Omni Room of The City County Building. Aquasource to be sent all information regarding the hearing by Certified Mail.

9. Approval of Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to provide professional services for the design of improvements to Wayne Trace: Oxford Street to McKee Street. Proposed improvements include: pavement reconstruction and widening to provide a bi-directional center left turn lane; curb and sidewalk construction, storm drainage facilities. Compensation for services performed shall be not-to-exceed fee of $118,256.00. City Engineering recommends approval;

David Ross, City Engineer said that the project is located along Wayne Trace in the east central part of the City. Proposed improvements to be designed include roadway reconstruction to provide bi-directional center left turn lane, two 12-foot wide directional traffic lanes with curb and gutter on each side; storm sewers; utility relocation; street lighting; sidewalks and other related work.
John Suarez moved approval of Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to provide professional services for the design of improvements to Wayne Trace: Oxford Street to McKee Street. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. Approval of Standard Highway Utility Agreement between the Indiana Department of Transportation and the City of Fort Wayne in connection with US 33, Added Travel Lanes from US 30 to Cook Road and Subordination Agreement for same;

Mike Hicks, Planning & Design Services said that this project is for the engineering and construction for the relocation of a portion of the water main along Washington Center Road currently on an easement to accommodate the above-mentioned project. INDOT shall reimburse the Utility for actual cost of the work completed.
Denise Porter-Ross moved approval of Standard Highway Utility Agreement between the Indiana Department of Transportation and the City of Fort Wayne in connection with US 33, Added Travel Lanes from US 30 to Cook Road and Subordination Agreement for same. Motion carried. Copy to be placed on file in vault.

11. Approval of Encroachment License Agreement between the City of Fort Wayne and Fifth Third Bank to place an awning to encroach into the right-of-way at 132 E. Berry Street. The Encroachment License Agreement Committee recommends approval;
John Suarez moved approval of Encroachment License Agreement between the City of Fort Wayne and Fifth Third Bank to place an awning to encroach into the right-of-way at 132 E. Berry Street. Motion carried. Copy to be sent to the Allen County Recorders Office.

12. **IMPROVEMENT RESOLUTION #6892-02,** Liberty Development;

Mario Trevino, Transportation Engineering Services said that this improvement is for the following:

Liberty St.: Canal to Coombs – curbs only both sides
Liberty St.: Coombs to Beque – sidewalk & curbs on north side – sidewalk only on south side up to retainage wall.
Liberty St.: Harmar to Beque: curbface sidewalk.
Harmar: Berry to Liberty: curb & sidewalk east side only.
Beque St.: Berry to Liberty: sidewalk and curb from Berry to the alley on the west side.
Berry St.: Harmar to Beque: sidewalk only north side.
Berry St. between Harmar & Beque: spot curb and sidewalk repair south side in front of new homes.
Denise Porter-Ross moved approval of Improvement Resolution #6892-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/3/02.

13. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program Year 2001 increasing the contract price by $1,019.99. The original contract price was $51,166.00. The new contract price including this change order is $52,185.99;

Mario Trevino, Transportation Engineering Services said that this change order is to adjust final quantities.
John Suarez moved approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6826-01, Public Sidewalk Curb Ramp Program Year 2001 increasing the contract price by $1,019.99. Motion carried. Contract price to be increased.

14. Approval of Change Order #1 & Final received from Key Concrete for Improvement Resolution #6828-02, West State Blvd.: Tyler to Poinsette decreasing the contract price by $6,509.87. The original contract price was $96,740.25. The new contract including this change order is $90,230.38;

Mario Trevino, Transportation Engineering Services said that this change order is to adjust final quantities.
Denise Porter-Ross moved approval of Change Order #1 & Final received from Key Concrete for Improvement Resolution #6828-02, West State Blvd.: Tyler to Poinsette decreasing the contract price by $6,509.87. Motion carried. Contract price to be decreased.

15. Approval of Construction Contract #6869-02 between Primco Inc. and the City of Fort Wayne for Fairfield Avenue South: Tillman Road to Fairwick Lane in the amount of $211,735.05;
John Suarez moved approval of Construction Contract #6869-02 between Primco Inc. and the City of Fort Wayne for Fairfield Avenue South: Tillman Road to Fairwick Lane in the amount of $211,735.05. Motion carried. Contract to be sent to City Council.

16. Approval of Construction Contract #6879-02 between Key Concrete Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramps 2002-Pkg. 3 in the amount of $77,732.40;
John Suarez moved approval of Construction Contract #6879-02 between Key Concrete Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramps 2002-Pkg. 3 in the amount of $77,732.40. Motion carried. Notice to proceed to be sent.

17. Approval of recommendation received from Transportation Engineering Services to accept the work by Key Concrete, Inc. on Improvement Resolution #6828-02, West State Blvd. as an integral part of the City's transportation system;
John Suarez moved to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6828-02. Motion carried. Acceptance letter to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Butler, Fairman & Seufert for Cell 13 Water and Sewer Master Planning. The not-to-exceed amount for this contract is $36,500.00. Planning & Design Services recommend approval;

Ted Rhinehart said that the Cell 13 study area is generally bounded by Kress Road, Ferguson Road, Smith Road, and Lower Huntington Road and that ongoing development in this areas has defined a need to develop a water and sewer master plant to best serve the area.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Butler, Fairman & Seufert for Cell 13 Water and Sewer Master Planning. The not-to-exceed amount for this contract is $36,500.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Professional Services Agreement between the City of Fort Wayne and D. A. Brown Engineering Consultants, Inc. for the design of the Neuhaus Interceptor Extension – Phase II. The not-to-exceed amount for this contract is $143,000.00. Planning & Design Services recommend approval;

Ted Rhinehart stated that the Neuhaus Interceptor Extension – Ph. II extends west from Bass and Thomas Road, crossing I-69, and terminating West of Flaugh Road.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and D. A. Brown Engineering Consultants, Inc. for the design of the Neuhaus Interceptor Extension – Phase II. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates, P.C. for Hurshtown Reservoir – 2002 Project. The not-to-exceed fee for this agreement is $91,087.84. Planning & Design Services recommend approval;

Ethel Morgan, Planning & Design Services that this project consists of rehabilitation of 650 feet of the North Embankment, 150 feet of the West Embankment and the preliminary engineering only for the toe drainage improvements.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Lawson-Fisher Associates, P.C. for Hurshtown Reservoir – 2002 Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Approval of Amendment #1 to Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for McMillen Park North Storm Sewer Design Contract. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design said that the amendment changes the consultant's rates that were established in 1999.
Denise Porter-Ross moved approval of Amendment #1 to Agreement between the City of Fort Wayne and Russell Engineering Associates, Inc. for McMillen Park North Storm Sewer Design Contract. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Change Order #2 and FINAL received from Indiana Construction Corp. for Improvement Resolution #617-00, WPC Plant Water Systems Improvements decreasing the contract price by $10,000.00. The original contract price was $317,000.00. The new contract price including this change order is $309,400.00;

Ron Sheppard, Engineering Support Services said that the work allowance was not used resulting in this decrease.
John Suarez moved approval of Change Order #2 and FINAL received from Indiana Construction Corp. for Improvement Resolution #617-00, WPC Plant Water Systems Improvements decreasing the contract price by $10,000.00. Motion carried. Contract price to be decreased.

23. Approval of Change Order #1 & FINAL received from Ness Excavating on Improvement Resolution #1093-01, Coliseum/Hillegas Water Main increasing the contract price by $1,134.00. The original contract price was $87,180.00. The new contract price including this change order is $88,314.00;

Ron Sheppard, Engineering Support Services said this change order is for final quantities adjustment.
Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Ness Excavating on Improvement Resolution #1093-01, Coliseum/Hillegas Water Main increasing the contract price by $1,134.00. Motion carried. Contract price to be increased.

24. Approval of Construction Contract #1100-02 between All Star Construction and the City of Fort Wayne for Charlotte Avenue Water Main Improvements in the amount of $250,744.90;]
John Suarez moved approval of Construction Contract #1100-02 between All Star Construction and the City of Fort Wayne for Charlotte Avenue Water Main Improvements in the amount of $250,744.90. Motion carried. Contract to be sent to City Council.

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #2001-S-53, Thistlewaite Sewer Extension as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved to accept the work performed by Frontier Contractors on Sewer Contract #2001-S-53. Motion carried. Acceptance letter to be sent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Geiger Excavating, Inc. on Water Contract #1085-01, Colony Drive Water Main Replacement as an integral part of the City's water main system;
Denise Porter-Ross moved to accept the work performed by Geiger Excavating, Inc. on Water Contract #2002-S053. Motion carried. Acceptance letter to be sent.

27. Approval of General Accounting Claims in the amount of $4,305,512.22;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $4,305,512.22. Motion carried. Claims to be sent to the Department of Finance.

28. Old Business:

29. New Business:

(I) **AWARD:** Improvement Resolution #6889-02, Ewing Street: Jefferson Blvd. to Main Street to Brooks Const. Co., Inc. in the amount of $203,400.98. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED**;
John Suarez moved approval of award for Improvement Resolution #6869-02 to Brooks Const. Co., in the amount of $203,400.98. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

(II) Construction Contract #6876-02 between Newell Const. Co., Inc. and the City of Fort Wayne for Lakeshores Addn., Ph. III – Lakewood Drive: Monterey Drive to Hiltonia Drive in the amount of $67,226.50;
Denise Porter-Ross moved approval of Construction Contract #6876-02 between Newell Const. Co., Inc. and the City of Fort Wayne for Lakeshores Addn., Ph. III – Lakewood Drive: Monterey Drive to Hiltonia Drive in the amount of $67,226.50. Motion carried. Notice to proceed to be sent.

(III) Approval of Release of Escrow received from Indiana Construction for the Chemical Feed Project in the amount of $10,000.00. The Escrow Agent is National City Bank;
John Suarez moved approval of Release of Escrow received from Indiana Construction for the Chemical Feed Project in the amount of $10,000.00. Motion carried. Release of Escrow to be sent to the Escrow Agent.

(IV) **IMPROVEMENT RESOLUTION #6886-02,** Coldwater Road & Washington Center Road Intersection;

David Ross, City Engineer said that this Resolution is for the improvement of the Intersection of Coldwater Road & Washington Center Road by cement concrete pavement rehabilitation (removal and reconstruction); traffic control signal hardware upgrade; pavement marking and other related roadway work.
Denise Porter-Ross moved approval of Improvement Resolution #6886-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/3/02.

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(V) Ron Sheppard, Engineering Support Services said that bids were tabulated for Improvement Resolution #1106-01, Three Rivers Filtration Plant Hurshtown Embankment Repairs – 2002 and recommended that the bid be awarded to Fleming Excavating in the amount of $296,273.00 (base bid only);

Denise Porter-Ross moved to award Improvement Resolution #1106-01 to Fleming Excavating in the amount of $296,273.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

JUNE 12, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:45 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; George Cook, Traffic/Street Light Engineering; John Perlich, Public Information/Utilities/BOW; Charles Bailey & Carl Wilson, Contract Compliance; Mary Jane Slaton, Nancy Townsend, & Jack Suter, Development Services; Jim Howard, City Law Dept.; Ron Sheppard & Bill Maxwell, Engineering Support Services; Pat Callahan, Mike Hicks, Planning & Design.

1. Approval of Board of Stormwater Management Minutes of May 29, 2002;
Denise Porter-Ross moved approval of Stormwater Management Minutes of May 29, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #1517-2002,** Kirkwood Park-Springfield Avenue & Rolston Street Drainage Improvement;

Nancy Townsend, Development Services, said that a chronic stormwater drainage problem exists in Kirkwood Park in the 2500 and 2600 blocks of Springfield Avenue and the 3400 block of Rolston Street. Water Resources received invitational bids for said improvement from the following contractors.

Earth Const.	$29,320
All Star Const.	$40,100
Geiger Developing	$43,116

Denise Porter-Ross moved approval of Improvement Resolution #1517-2002. Motion carried. Copy to be herein incorporated. Purchasing to issue purchase order to Earth Const. in the amount of $29,320.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

June 12, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Jeff Grogg, Transportation Engineering Services; Marj Enders, Barrett Law Accountant.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #6781-02, McKinnie Circle. Jeff Grogg is the Project Engineer.
Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6781-02. Motion carried. Assessments to be sent.

Hearing adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise-Porter Ross, Member

ATTEST: Carolyn S. Newport, Clerk

June 12, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Nancy Townsend, Development Services; Marj Enders, Barrett Law Accountant.

1. Preliminary Hearing to Confirm Improvement Resolution #1501-02, Covington Road N. Sanitary Sewer.

Nancy Townsend, Development Services explained the scope of the work. Ms. Townsend stated that the property owners have 90 days to tie in from date of final acceptance.

Louis Barber of 5305 W. Jefferson stated that she was not happy with final results on the Covington and Jefferson Sewer project, Res. #928-99, because where a manhole was installed, the dirt caved in and also the contractor left debris.

Ted Rhinehart suggested that Nancy Townsend check with Ron Sheppard to see if this complaint could be added to the punch list for that project.
Denise Porter-Ross moved to Confirm Improvement Resolution #1501-02. Motion carried. Project to proceed.

Hearing adjourned at 10:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

NOTICE OF CHANGE OF MEETING DATE

The regular weekly meeting of the Board of Public Works and Board of Stormwater Management Board will not be held Wednesday, June 19, 2002. The next scheduled meeting will be held on June 26, 2002 at 9:00 a.m. in the Omni Room, Room 250 of the City-County Building.

Carolyn S. Newport, Clerk
Board of Public Works

June 14, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Vic Bobay, & Matt Gray, Transportation Engineering Services; James Howard, Law Department; Mark Gensic, Pat Callahan, Mike Hicks, Paul Powers, & Mike Thornson, Planning & Design; Carl Wilson, Contract Compliance; Jim Riemke, Street Light Engineering; Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Greg Meszaros, Chief of Engineering; Carl Wilson, Contract Compliance; Bart Bunn, Bunn Inc.

1. **RECEIVE BIDS:** Improvement Resolution #647-02, Hickory Grove/Waycross Drive;

BERCOT, INC.	119,739.00
CROSBY EXCAVATING	129,915.95
DAFFORN EXCAVATING	106,110.33
FLEMING EXCAVATING	118,612.28
GEIGER EXCAVATING	121,510.21
LAND, INC.	105,160.00
J&L EXCAVATING	144,322.50

Eng. Est. - $145,570.00

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1109-02, Plaza & S. Colonial Water Main Replacement;

	BASE	ALT. – HDPE PIPE
ALL STAR CONST.	0	133,745.00
DAFFORN EXCAVATING	0	127,305.25
EARTH CONST.	0	131,245.00
UNDERGROUND CONTRACTORS	0	140,098.50

Eng. Est. - $145,000.00

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6844-02, Baylor Drive;

BROOKS CONST.	154,025.85
HIPSKIND CONCRETE	165,841.00
PIONEER ASSOCIATES	198,400.45

PRIMCO	138,653.25
ROBBCO INC.	160,515.30

Eng. Est. - $143,017.25
Transportation Engineering Services to tabulate and make recommendation for award under new business.

4. **RECEIVE BIDS:** Improvement Resolution #6875-02, Victoria Drive: Inwood Dr. to East Terminus:

BROOKS CONST.	128,300.80
E & B PAVING	122,683.00
WAYNE ASPHALT	116,011.10

Eng. Est. - $113,193.00

Transportation Engineering Services to tabulate and make recommendation for award under new business.

5. **RECEIVE BIDS**: Improvement Resolution #6888-02, Misc. Const. Pkg. 2-B-02

HIPSKIND CONCRETE	169,165.80
NEWELL CONSTRUCTION	164,721.00

Eng. Est. - $144,846.29

Transportation Engineering Services to tabulate and report.

6. **RECEIVE BIDS:** Improvement Resolution #6893-02, Ardmore Avenue from Lower Huntington Road:

BROOKS CONST.	323,110.30
E & B PAVING	388,666.00
WAYNE ASPHALT	377,392.25

Eng. Est. - $565,367.00

City Engineering to tabulate and report.

7. **RECEIVE QUALIFICATIONS** FOR 2002 Sewer Televising;

Qualifications were received from the following:

Dreier & Maller, Inc., Tele-Vac Environmental, Inland Waters Pollution Control, Inc., T-C Inc., National Power Rodding Corp.

Qualifications to be reviewed by Engineering Support Services.

8. Approval of Board of Public Works Minutes of June 12, 2002 and Final Hearing Minutes for Improvement Resolution #6781-01, McKinnie Circle and Preliminary Hearing Minutes for Improvement Resolution #1502-02, Covington Road N. Sanitary Sewer of June 12, 2002;

Denise Porter-Ross moved approval of Board of Public Works Minutes of June 12, 2002 and Final Hearing Minutes for Improvement Resolution #6781-01, McKinnie Circle and Preliminary Hearing Minutes for Improvement Resolution #1502-02, Covington Road N. Sanitary Sewer of June 12, 2002. Motion carried. Minutes approved.

9. Approval of recommendation received from Engineering Support Services to reject all bids on Improvement Resolution #585-98, Bob Arnold/Northside Park Phase I.

   Ted Rhinehart stated that Engineering Support Services is asking the Board to reject all bids on this project for the following reasons:

1. Pipe work around Northside High School has been better defined by the schools by Engineering staff and cost savings from the change could reduce the cost by as much ass 5%.
2. Need for clarification of use of HPDE pipe on this project.
3. Lack of update financial statement by two bidders had led to a review of all financial statements by contractors that do regular business with the Board of Works.

   Ted Rhinehart stated that Bart Bunn with Bunn Inc., the low apparent bidder on the project, was in attendance and asked if he wanted to comment.

   Bart Bunn stated that he was aware that there might be change orders on the project and that he was willing to work with the City regarding the changes. Mr. Bunn stated that his company had turned down other projects because they would need the manpower to construct this project.

   John Suarez stated that he felt that it was not fair to the contractor to declare the bid non-responsive. Mr. Suarez also stated that contractors should use only subcontractors that they have listed.

   Bart Bunn said that they would only use subcontractors for boring on this project.

   John Suarez expressed that he can check jobs for wages and is upset that contractors are not complying with wage rates.

   Denise Porter-Ross inquired if the City was premature in bidding the project.

   Ted Rhinehart stated that the City had the best information at the time and since then the plans have been updated by Northside High School.

   Pat Callahan, Planning & Design remarked that the revised plans would be prepared in about 5 to 6 weeks.

   Denise Porter-Ross moved approval of recommendation to reject all bids on Improvement Resolution #585-98, Bob Arnold/Northside Park Phase I. John Suarez abstained. Ted Rhinehart seconded the motion. Bids to be rejected.

10. **AWARD:** Improvement Resolution #279-02, Hacienda Village Street Lights to Lights & Signals, Inc. in the amount of $59,947.75. Contract Compliance concurs with this award;

    John Suarez moved approval of award for Improvement Resolution #279-02 to Lights & Signals, Inc. in the amount of $59,947.75. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

11. **AWARD:** Improvement Resolution #6885-02, Public Sidewalk Curb Ramp Package 8-2002 to Key Concrete, Inc. in the amount of $138,140.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

    John Suarez moved approval of award for Improvement Resolution #6885-02 to Key Concrete, Inc. in the amount of $138,140.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

12. **AWARD:** Improvement Resolution #6891-02, Northside/Larez Neighborhood to Key Concrete, Inc. in the amount of $76,058.00. Contract Compliance concurs with this award;

John Suarez moved approval of Improvement Resolution #6891-02 to Key Concrete, Inc. in the amount of $76,058.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

13. Approval of Change Order #3 received from R. E. Crosby for the New Transportation Facility increasing the contract amount by $4,610.00. The original contract price was $707,415.00. The new contract price including this change order is $731,688.00;

    1. The cost to change the backfill for the sanitary sewer under the parking lot from standard specified to a flowable fill and change the SDR-35 sewer pipe to a SDR-25 sewer pipe.

    2. The cost to provide/add four off-site sanitary sewer taps.

    Denise Porter-Ross moved approval of Change Order #3 received from R. E. Crosby for the New Transportation facility increasing the contract price amount by $4,610.00. Motion carried. Contract price to be increased.

14. Approval of Change Order #3 received from R. E. Crosby for New Fire Stations 12, 16, and 17 increasing the contract amount by $8,536.00. The original contract price was $3,779,550.00. The new contract price including this change order is $3,770,932.50;

    Held for further review.

15. Approval of Change Order #1, 2, 3, and 4 received from Louis Lee Lengacher for FWPD Operations Center totaling $3,949.00. The new contract price including these change orders is $152,054.00;

    Held for further review.

16. **IMPROVEMENT RESOLUTION #6894-02,** Public Sidewalk Curb Ramp Intersections 2002 Pkg. I;

    Mario Trevino, Transportation Engineering Services said that is for the improvement of Lofton Woods Addition and the Knolls by altering existing areas, elements and facilities intended for pedestrian access by removing existing curbs, sidewalks and alleys, relocating utilities and constructing public sidewalk curb ramps in compliance with American with Disabilities Act.

    Denise Porter-Ross moved approval of Improvement Resolution #6894-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/17/02.

17. **IMPROVEMENT RESOLUTION #6896-02,** Indiana Avenue & Rudisill Blvd. Intersection;

    David Ross, City Engineer said that this is for installation of a new traffic control signal system.

    John Suarez moved approval of Improvement Resolution #6894-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/17/02.

18. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6803-01, Bloomingdale Neighborhood Improvements increasing the contract price by $11,179.68. The original contract price was $199,127.50. The new contract price including this change order is $210,307.18;

    Mario Trevino, Transportation Engineering Services said that there was additional funding for tree removal that was approved in November 2001 and this final change order represents that additional funding and accounting for the other quantities required to complete the project.

    Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6803-01, Bloomingdale Neighborhood Improvements increasing the contract price by $11,179.68. Motion carried. Contract price to be increased.

19. Approval of Change Order #1 & FINAL received from Widner Paving for Improvement Resolution #6815-02, Miscellaneous Construction Package 2-A-01 decreasing the contract amount by $5,466.36. The original contract price was $36,802.50. The new contract price including this change order is $31,336.14;

Mario Trevino, Transportation Engineering Services stated that the property owner at 1038 Trishlyn Cove refused to have any work done. At 2624 Buckhurst Run driveway quantity was saved due to a change. Also, no excavation was needed for walk.

John Suarez moved approval of Change Order #1 & FINAL received from Widner Paving for Improvement Resolution #1015-02 decreasing the contract amount by $5,466.36. Motion carried. Contract price to be decreased.

20. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6839-02, St. Martins Street increasing the contract amount by $1,284.35. The original contract price was $29,455.00. The new contract price including this change order is $30,739.35;

    Mario Trevino, Transportation Engineering Services said that the justification for change was due to an adjustment of sidewalks to its new grade.

    Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Newell Construction Co., Ind. for Improvement Resolution #6839-02 increasing the contract amount by $1,284.35. Motion carried. Contract price to be increased.

21. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6862-02, Miscellaneous Construction Package 4-A-02 increasing the contract price by $2,007.12. The original contract price was $74,769.00. The new contract price including this change order is $76,776.12;

    Mario Trevino, Transportation Engineering Services said that change order is to adjust final quantities.

    Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Key Concrete, Inc. for Improvement Resolution #6862-02 increasing the contract price by $2,007.12. Motion carried. Contract price to be increased.

22. Approval of Assessment Roll for Improvement Resolution #6815-02, Misc. Construction Pkg. 2-A-01. Property Owners have waived their right to a public hearing;

    Denise Porter-Ross moved approval of Assessment Roll for Improvement Resolution #6862-02. Motion carried. Assessments to be sent.

23. Approval of Construction Contract #6830-02 between Bunn Excavating and the City of Fort Wayne for Jefferson Blvd. West at Freeman Street in the amount of $105,248.25;

    John Suarez moved approval of Construction Contract #6830-02 between Bunn Excavating and the City of Fort Wayne for Jefferson Blvd. West at Freeman Street in the amount of $105,248.25. Motion carried. Contract to be sent to City Council.

24. Approval of Construction Contract ##6845-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Sherborne Blvd. Ph. II: Hastings Rd. to Vance Ave. in the amount of $304,011.50;

    John Suarez moved approval of Construction Contract ##6845-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Sherborne Blvd. Ph. II: Hastings Rd. to Vance Ave. in the amount of $304,011.50. Motion carried. Contract to be sent to City Council.

25. Approval of Construction Contract #6850-02 between Garcia Concrete Construction and the City of Fort Wayne for Wohoma Drive: Maplewood to Hopewell in the amount of $38,641.86;

    John Suarez moved approval of Construction Contract #6850-02 between Garcia Concrete Construction and the City of Fort Wayne for Wohoma Drive: Maplewood to Hopewell in the amount of $38,641.86. Motion carried. Notice to Proceed to be sent.

26. Approval of Construction Contract #6859-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Packard Avenue: South Wayne to Indiana in the amount of $55,636.75;

    John Suarez moved approval of Construction Contract #6859-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Packard Avenue: South Wayne to Indiana in the amount of $55,636.75. Motion carried. Notice to Proceed to be sent.

27. Approval of Construction Contract #6867-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Courtwood Dr. & Kirkfield Dr. in the amount of $279,065.15.

John Suarez moved approval of Construction Contract #6867-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Courtwood Dr. & Kirkfield Dr. in the amount of $279,065.15. Motion carried. Contract to be sent to City Council.

28. Approval of Construction Contract #6881-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Allendale Drive: Belle Vista to Gilbert Drive in the amount $173,759.00;

John Suarez moved approval of Construction Contract #6881-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Allendale Drive: Belle Vista to Gilbert Drive in the amount $173,759.00. Motion carried. Contract to be sent to City Council.

29. Approval of Construction Contract #6881-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Allendale Drive: Belle Vista to Gilbert Drive in the amount $173,759.00;

John Suarez moved approval of Construction Contract #6881-02 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Allendale Drive: Belle Vista to Gilbert Drive in the amount $173,759.00. Motion carried. Contract to be sent to City Council.

30. Approval of Construction Contract #6882-02 between G. E. Minear Const. Co., Inc. and the City of Fort Wayne for Chickasaw Drive: Whetstone Lane to Marias Drive in the amount of $48,995.20;

John Suarez moved approval of Construction Contract #6882-02 between G. E. Minear Const. Co., Inc. and the City of Fort Wayne for Chickasaw Drive: Whetstone Lane to Marias Drive in the amount of $48,995.20. Motion carried. Notice to Proceed to be sent.

31. Approval of Construction Contract #6883-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for North Anthony Blvd.: Reversible Turn Lane in the amount of $110,504.00;

John Suarez moved approval of Construction Contract #6883-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for North Anthony Blvd.: Reversible Turn Lane in the amount of $110,504.00. Motion carried. Contract to be sent to City Council.

32. Approval of Construction Contract #6884-02, between Key Concrete, Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 7-2002 in the amount of $93,775.00;

John Suarez moved approval of Construction Contract #6884-02, between Key Concrete, Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 7-2002 in the amount of $93,775.00. Motion carried. Notice to Proceed to be sent.

33. Approval of Construction Contract #6889-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Ewing Street: Jefferson Blvd. to Main Street in the amount of $203,400.98;

John Suarez moved approval of Construction Contract #6889-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Ewing Street: Jefferson Blvd. to Main Street in the amount of $203,400.98. Motion carried. Contract to be sent to City Council.

34. Approval of Authorization for Release of Escrow received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6756-01, Resurfacing Package 2-2001. Fifth Third Bank is the Escrow Agent;

John Suarez moved approval of Authorization for Release of Escrow received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6756-01, Resurfacing Package 2-2001. Motion carried. Release of Escrow to be sent to the Escrow Agent.

35. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana for the installation of Fire Hydrants on Magnavox Way;

Mary Jane Slaton, Development Services remarked that this Resolution is for the installation of three additional fire hydrants. The Fort Wayne Civil City shall pay annual fire hydrant fees to City Utilities based on applicable rate schedules.

Denise Porter-Ross moved approval of Resolution of the Board of Public Works of the City of Fort Wayne, Indiana for the installation of Fire Hydrants on Magnavox Way. Motion carried. Fire Hydrants to be installed.

36. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and Dodzik Engineering, Inc. for the design of storm sewers in the South McMillen Park Area;

Pat Callahan, Planning & Design said that this amendment changes the consultant's rates that were established in 1999.

Denise Porter-Ross moved approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and Dodzik Engineering, Inc. for the design of storm sewers in the South McMillen Park Area. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

37. Approval of Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers, Inc. for Lake Forest Force Main;

Mike Hicks, Planning & Design stated that this Agreement is for the engineering report for the design of the rehabilitation of approximately 3,400 l.f. of 8" force main. The existing force main is in poor structural shape. The contract amount for this report is a not-to-exceed amount of $26,100.00.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers, Inc. for Lake Forest Force Main. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

38. **IMPROVEMENT RESOLUTION #678-2002,** General Cured In Place 2002 Sewer Rehabilitation;

Mike Hicks, Planning & Design stated that this project consists of rehabilitating a total 17,387 l.f. of 12", 15", 18", 20",24" and 36" combination sewers using the Cured-in-Place method.

Denise Porter-Ross moved approval of Improvement Resolution #678-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/17/02.

39. **IMPROVEMENT RESOLUTION #1103-02,** Water Main Interconnections – Contract #2;

Paul Powers, Planning & Design said that this Resolution orders the construction of approximately 1,375 l.f. of 6" and 8" water main, one fire hydrant, and all other appurtenances necessary for this project.

Denise Porter-Ross moved approval of Improvement Resolution #1103-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/17/02.

40. Approval of Amended Sewer Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Held for further review.

41. Approval of Sewer Contract #2002-S-06 between Downey, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Metro Business Park. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services said that said sewer to include 3,014 l.f. of 8" PVC pipe.

John Suarez moved approval of Sewer Contract #2002-S-31 between Downey, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Metro Business Park. Motion carried. Sanitary sewer to be constructed.

42. Approval of Sewer Contract #2002-S-15 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VI Phase I & II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Mary Jane Slaton, Development Services said that said sewer to include 2,655 l.f. of 8"' PVC pipe.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-15 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VI Phase I & II. Motion carried. Sanitary sewer to be constructed.

43. Approval of Sewer Contract #2002-S-19 between PT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Mary Jane Slaton, Development Services stated that said sewer to include 290 l.f. of 8" PVC pipe.

    John Suarez moved approval of approval of Sewer Contract #2002-S-19 between PT Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VII. Motion carried. Sanitary sewer to be constructed.

44. Approval of Sewer Contract #2002-S-20 between Oakmont Development Co. LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Mary Jane Slaton, Development Services said that said sewer to include2.4450 l.f. of 8" PVC pipe.

    John Suarez moved approval of Sewer Contract #2002-S-20 between Oakmont Development Co. LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII.

45. Sewer Contract #2002-S-20 between Oakmont Development Co. LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Mary Jane Slaton, Development Services said that said sewer to include 1,307 l.f. of 8" PVC SDR 35.

    John Suarez moved Sewer Contract #2002-S-20 between Oakmont Development Co. LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Perry Lake Estates Section VII. Motion carried. Sanitary sewer to be constructed.

46. Approval of Sewer Contract #2002-S-24 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Timberon Section II Phase II Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Mary Jane Slaton, Development Services stated that said sewer to include 1,238 l.f. of 8" PVC pipe.

    John Suarez moved approval of Sewer Contract #2002-S-24 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Timberon Section II Phase II Sanitary. Motion carried. Sanitary sewer to be constructed.

47. Approval of Water Contract #2002-W-08 between Mill Ridge Development Corp. and the FortWayne Water Utility to construct water main systems to serve Hunters Point Section IV. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

    Mary Jane Slaton, Development Services remarked that said water line to include 352 l.f. of 6" ductile iron pipe.

    John Suarez moved approval of Water Contract #2002-W-08 between Mill Ridge Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hunters Point Section IV. Motion carried. Water main systems to be constructed.

48. Approval of Construction Contract #1006-01 between Fleming Excavating and the City of Fort Wayne for Hurshtown Reservoir North Bank in the amount of $296,273.00 and Escrow Agreement for same. Decatur Bank & Trust Co. is the Escrow Agent;

John Suarez moved approval of Construction Contract #1006-01 between Fleming Excavating and the City of Fort Wayne for Hurshtown Reservoir North Bank in the amount of $296,273.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

49. Approval of Authorization of Release of Escrow received from Indiana Construction Corp. for Contract #617-2000, Fort Wayne WPCP Water System Improvements. The Escrow Agent is Tower Bank;

Denise Porter-Ross moved approval of Authorization of Release of Escrow received from Indiana Construction Corp. for Contract #617-2000, Fort Wayne WPCP Water System Improvements. Motion carried. Release of Escrow to be sent to the Escrow Agent.

50. Approval of Escrow Agreement received from All Star Construction for Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements. Lake City Bank is the Escrow Agent;

John Suarez moved approval of Escrow Agreement received from All Star Construction for Improvement Resolution #1100-02, Charlotte Avenue Water Main Improvements. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

51. Approval of General Accounting Claims for the week of June 19, 2002 in the amount of $6,064,802.81 and for the week of June 26, 2002 in the amount of $4,446,031.42;

Denise Porter-Ross moved approval of General Accounting Claims for the week of June 19, 2002 in the amount of $6,064,802.81 and for the week of June 26, 2002 in the amount of $4,446,031.42. Motion carried. Claims to be sent to the Department of Finance.

52. Approval of Barrett Law Claims in the amount of $24,057.66;

John Suarez moved approval of Barrett Law Claims in the amount of $24,057.66. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

53. Old Business:

None.

54. New Business;

Approval of Agreement between BKD and the City of Fort Wayne for Auditing the Financial Statements of City of Fort Wayne Utilities as of and for the years ended Dec. 31, 2002, 2003, and 2004.

Ted Rhinehart stated that BKD was chosen by a Selection Committee for the Auditing of Financial Statements.

John Suarez moved Approval of Agreement between BKD and the City of Fort Wayne for Auditing the Financial Statements of City of Fort Wayne Utilities as of and for the years ended Dec. 31, 2002, 2003, and 2004. Motion carried. Copy to be placed on file in vault.

Approval of Relocation Agreement between Indiana Michigan Power Company and the City of Fort Wayne in connection with the Headworks Project;

Ted Rhinehart said that the main feeder main is in the way of the construction for the Headworks Project and needs to be relocated.

John Suarez moved approval of Relocation Agreement between Indiana Michigan Power Company and the City of Fort Wayne in connection with the Headworks Project. Motion carried. Copy to be placed on file in vault.

Approval of Supplemental Deed of Easement between the City of Fort Wayne and Ohio Power Company in connection with the Headworks Project;

John Suarez moved approval of Supplemental Deed of Easement between the City of Fort Wayne and Ohio Power Company in connection with the Headworks Project. Motion carried. Copy to be placed on file in vault.

Approval of Intergovernmental Agreement between the Fort Wayne Redevelopment Commission and the City of Fort Wayne by and through its Board of Public Works.

Ted Rhinehart apprised the Board of the following: the Fort Wayne Redevelopment Commission has caused to be issued the City of Fort Wayne Redevelopment District revenue bonds, Series 2002 in the aggregate sum of $10,225,000.00 for projects to be constructed with the proceeds of the bonds. C&ED's share of the projects is $5,000,000.00 ant the Board's share is the balance of net available proceeds in the amount of $5,0022,566.44.This agreement provides that the Board shall be general responsible for designing, bidding, contracting, and administering contracts for construction work on the projects.

Denise Porter-Ross moved approval of Intergovernmental Agreement between the Fort Wayne Redevelopment Commission and the City of Fort Wayne by and through its Board of Public Works. Motion carried. Copy to be placed on file in vault.

Mario Trevino, Transportation Engineering Services made a recommendation to award Improvement Resolution #6844-02, Baylor Drive to Primco in the amount of $138,653.25 and Improvement Resolution #6875-02, Victoria Drive to Wayne Asphalt & Const. Co., Inc. in the amount of $122,683.00.

Denise Porter-Ross moved approval of award Improvement Resolution #6844-02, Baylor Drive to Primco in the amount of $138,653.25 and Improvement Resolution #6875-02, Victoria Drive to Wayne Asphalt & Const. Co., Inc. in the amount of $122,683.00. Motion carried. Notices of award to be sent. Transportation Engineering Services to prepare contracts.

Meeting adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

JUNE 26, 2002

1. **RECEIVE BIDS:** Improvement Resolution #647-02, Hickory Grove/Waycross Drive Stormwater Improvement;
2. **RECEIVE BIDS:** Improvement Resolution #1109-02, Plaza & S. Colonial Water Main Replacement;
3. **RECEIVE BIDS:** Improvement Resolution #6844-02, Baylor Drive;
4. **RECEIVE BIDS:** Improvement Resolution #6875-02, Victoria Drive: Inwood Drive to East Terminus;
5. **RECEIVE BIDS:** Improvement Resolution #6888-02, Misc. Construction Pkg. 2-B-02;
6. **RECEIVE BIDS:** Improvement Resolution #6893-02, Ardmore Avenue from Lower Huntington Road to Covington Road;
7. **RECEIVE QUALIFICATIONS** FOR 2002 Sewer Televising;
8. Approval of Board of Public Works Minutes of June 12, 2002 and Final Hearing Minutes for Improvement Resolution #6781-01, McKinnie Circle and Preliminary Hearing Minutes for Improvement Resolution #1502-02, Covington Road N. Sanitary Sewer of June 12, 2002;
9. Approval of recommendation received from Engineering Support Services to reject all bids on Improvement Resolution #584-98, Bob Arnold/Northside Park Phase I;
10. **AWARD:** Improvement Resolution #279-02, Hacienda Village Street Lights to Lights & Signals, Inc. in the amount of $59,947.75. Contract Compliance concurs with this award;
11. **AWARD:** Improvement Resolution #6885-02, Public Sidewalk Curb Ramp Package 8-2002 to Key Concrete, Inc. in the amount of $138,140.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
12. **AWARD:** Improvement Resolution #6891-02, Northside/Larez Neighborhood to Key Concrete, Inc. in the amount of $76,058.00. Contract Compliance concurs with this award;
13. Approval of Change Order #3 received from R. E. Crosby for the New Transportation Facility increasing the contract amount by $4,610.00. The original contract price was $707,415.00. The new contract price including this change order is $731,688.00;
14. Approval of Change Order #3 received from R. E. Crosby for New Fire Stations 12, 16, and 17 increasing the contract amount by $8,536.00. The original contract price was $3,779,500.00. The new contract price including this change order is $3,770,932.50;
15. Approval of Change Order #1, 2, 3, and 4 received from Louis Lee Lengacher for FWPD Operations Center totaling $3,949.00. The new contract price including these change orders is $152,054.00;

29. Approval of Construction Contract #6882-02 between G. E. Minear Const. Co., Inc. and the City of Fort Wayne for Chickasaw Drive: Whetstone Lane to Marias Drive in the amount of $48,995.20;

30. Approval of Construction Contract #6883-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for North Anthony Blvd.: Reversible Turn Lane in the amount of $110,504.00;

31. Approval of Construction Contract #6884-02, between Key Concrete, Inc. and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 7-2002 in the amount of $93,775.00;

32. Approval of Construction Contract #6889-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Ewing Street: Jefferson Blvd. to Main Street in the amount of $203,400.98;

33. Approval of Authorization for Release of Escrow received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6756-01, Resurfacing Package 2-2001. Fifth Third Bank is the Escrow Agent;

34. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana for the installation of Fire Hydrants on Magnovox Way;

35. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne, Indiana and Dodzik Engineering, Inc. for the design of storm sewers in the South McMillen Park Area;

36. Approval of Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers, Inc. for Lake Forest Force Main;

37. **IMPROVEMENT RESOLUTION #678-2002,** General Cured In Place 2002 Sewer Rehabilitation;

38. **IMPROVEMENT RESOLUTION #1103-02,** Water Main Interconnections – Contract #2;

39. Approval of Amended Sewer Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

40. Approval of Sewer Contract #2002-S-06 between Downey, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Metro Business Park. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

41. Approval of Sewer Contract #2002-S-15 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Seven Oaks Section VI Phase I & II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

BOARD OF STORMWATER MANAGEMENT AGENDA

JUNE 26, 2002

1. Approval of Board of Stormwater Management Minutes of June 12, 2002;

2. **AWARD:** Improvement Resolution #665-02, North Drive-Reed Road Storm Drainage Improvement to Crosby Excavating in the amount of $346,223,00. Contract Compliance concurs with this award;

3. Approval of Professional Services Agreement between the Board of Stormwater Management and Paul I. Cripe, Inc. for Royal Oaks Area Stormwater System Improvements. The cost for services to be provided under this agreement is a not-to-exceed total of $172,002.00. Planning & Design Services recommend approval;

4. Old Business:

5. New Business:

BOARD OF STORMWAATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 10:30 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Vic Bobay, & Matt Gray, Transportation Engineering Services; James Howard, Law Department; Mark Gensic, Pat Callahan, Mike Hicks, Paul Powers, & Mike Thornson, Planning & Design; Carl Wilson, Contract Compliance; Jim Riemke, Street Light Engineering; Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Greg Meszaros, Chief of Engineering; Carl Wilson, Contract Compliance; Bart Bunn, Bunn Inc.

1. Approval of Board of Stormwater Management Minutes of June 12, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of June 12, 2002. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #665-02, North Drive-Reed Road Storm Drainage Improvement to Crosby Excavating in the amount of $346,223.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #665-02 to Crosby Excavating in the amount of $346,223.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Professional Services Agreement between the Board of Stormwater Management and Paul I. Cripe, Inc. for Royal Oaks Area Stormwater System Improvements. The cost for services to be provided under this agreement is a not-to-exceed total of $172,002.00. Planning & Design Services recommend approval;

Mike Hicks, Planning & Design Services apprised the Board of the following: the stormwater system improvements proposed under this agreement will be developed as two phases in accordance with the Stormwater Utility's 2002 and 2003 capital budgets – the East Phase and the Central Phase. The proposed improvements are based on recommendations from the drainage study completed for this area by Cripe in January of 2002. The smaller east side improvement is to be designed and bid in 2002 (subject to permit and easement acquisitions). The Central Phase design will occur in 2002 and 2003, with the bid for construction planned for mid-2003.
Denise Porter-Ross moved approval of Professional Services Agreement between the Board of Stormwater Management and Paul I. Cripe, Inc. for Royal Oaks Area Stormwater System Improvements. Motion carried. Copy to be placed on file in vault. Notice to Proceed to be sent.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 10:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk
Carolyn S. Newport, Clerk

June 26, 2002

Board of Stormwater Management Board
Room 250 - Omni Room
Hearing held at 10:40 a.m.

Ted Rinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk; James Howard, City Law Department; George Sistevaris, Esquire, Haller & Colvin P.C., 444 E. Main Street, Fort Wayne, Indiana 46802, representing Simon Sanford, Trustee, c/o Siara Management, Inc.

1. Public Hearing to Approve the Constitution Drive Stormwater System Improvement Project, Improvement Resolution #1516-02 and appropriating and condemning easements by use by the City of Fort Wayne, Indiana for construction of the Constitution Drive Stormwater System Improvement Project.

Ted Rinehart said that Constitution Drive is a private street and is platted as an easement that serves some properties off of Getz Road. Ted Rinehart said that Jim Howard, City Law Department would describe the need for this easement.

Mr. Howard apprised the Board of the following: this hearing is for Improvement Resolution #1516-02 and the City is asking for administrative condemnation for a stormwater easement under Indiana Code 8-1.5-5.17. Essentially, the City would be going down Constitution Drive. The stormwater easement is necessary to support a planned fire station that would be constructed in the 1900 block of Getz Road. The fire station is necessary for public safety and welfare in that district. There is one property owner represented by George Sistevaris, Attorney, and we believe the primary issue is that the value of Constitution Drive is diminished by the introduction of the stormwater drainage. The other issue is that there is an appraisal being done and that appraisal has not been completed yet. On that basis if there is a request for a continuance, Mr. Howard recommended to accept the continuance of this hearing for the receipt of that information so that the Board can make its decision based all those available facts.

Ted Rinehart inquired if the storm easement would be within the existing private road easement and the extension of the storm sewer in addition to serving the Fire Station would be available for someone to hook into on that vacant property that Mr. Fife also owns.

Jim Howard replied "yes."

Ted Rinehart apprised the Board of the following: in staff's opinion in bringing this forward to the Board, there wouldn't be damage to the property because it is already encumbered as a roadway. Now it will just have a pipe under it and it is also a benefit to the property owner because he will get to tie into it and if he were developing that property himself right now and there were no fire station, he would have to build this pipe himself, so he would be paying a full $16,000 to build this if we were not doing it.

James Howard stated that this is the basis of assessing the value the way we did because the stormwater pipe would actually add benefit to the property. The construction of the fire station adds benefit to the property in addition to the fact that after the construction of the stormwater easement, there would be reseeding and everything would be repaired to it's present state.

Ted Rinehart said that there are certainly a lot of potholes on the road right now and it is a constant source of complaints.

Ted Rinehart asked Mr. Sistevaris, Attorney representing Simon Sanford, Trustee, for comments.

Mr. Sistevaris stated that he represents the remonstrator, Sanford Simon, Trustee of Siara Management Inc., the property owner of the easement in question. Mr. Sistevaris stated that their concern is that his client is fairly compensated in regards to giving up a property right. Mr. Sistevaris stated that he is getting an appraisal report for this property right and anticipates that it will be handed to them in the next few days, so their request for a continuance in this matter is for a very short period. He stated that that July 10th was discussed with the City and he asked that the Board of Works approve it so that they can finalize their appraisal report. Mr. Sistevaris stated that it might very well be that the difference between the City's assessment and their appraisers assessment would be minimal, but they would at least like the opportunity to make the fair determination in that regard.

James Howard requested that as soon as the appraisal report is completed that it be submitted to the Board for evaluation because it should be submitted before that July 10th date.

Ted Rinehart suggested to Mr. Sistevaris Friday, July 5 or Monday July 8, 2002.

John Suarez moved to continue the Hearing for Improvement Resolution #1516-02 until June 10, 2002. Motion carried. Hearing to be continued.

Hearing adjourned at 10:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

JULY 3, 2002

BOARD OF PUBLIC WORKS
ROOM 250 - OMNI ROOM
HEARING HELD AT 9:07 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All members and clerk, Greg Meszaros, Mark Gensic and William Etzler.

Before Angela A. O'Neill
Registered Professional Reporter

SUMMIT CITY REPORTING, INC.
Certified Stenographic Reporters
3518 Stellhorn Road
Fort Wayne, Indiana 46815
(260) 486-3954

MR. RHINEHART: At this point, we're down to Item 4 on our agenda, and that's our administrative hearing for resolution of the Board of Works appropriating and condemning personal property for use by the City in acquisition of the Utility Center, Inc., doing business as AquaSource, their north water and sewer system.

And at this point, I will open the public hearing on this matter. And we'll make a note that we do have a court reporter present, Angie O'Neill is her name. And as various people come down to present information to the Board, Angie will swear you in, and so I, of course, ask that you give your name and your title for the minutes, so that we have all that in the -- in the official record.

And I think the first couple of folks we'll have, Greg Meszaros and Mark Gensic, from Utilities Engineering, and then I think Bill Etzler is here from AquaSource, and then if there is anyone else that wants to present at this hearing, after those have spoken, if you would come down and and give us your name. And with that, I'll turn it over to Greg. If, Angie, you want to swear him in.

GREG MESZAROS,

Called as a Witness herein,

having been first duly sworn,

testified as follows:

MR. MESZAROS: Good morning, Board. Greg Meszaros,

Associate Director of City Utilities. I'd like to start off today first by commending the Board for taking this action to consider where our utility is going, particularly in relation to the AquaSource/Utility Center North Sanitary and Water Systems. I think these issues are often difficult to grapple with, and the Board should be commended for tackling such an important issue for the community.

I'll start and briefly make some comments, particularly a little bit of history. I've been serving for City Utilities for more years than I'd like to remember sometimes, and I think here recently, particularly in my role as associate director, as we've been strategizing and looking around the corner of what is the best direction for our utility, and how can we best serve customers in our various service areas, that the acquisition of the Utility Center North assets has been an important part of our strategy. That dates back for many, many years, and we've tried many, many different ways to achieve that objective. And I think we're here today to continue to try to fulfill that very important initiative.

When we step back and say why do we want to do something like that, we really evaluate our utility systems from three different levels. One is a level of adequacy, how well our utility systems are providing water. Is there enough water? Is it the proper pressure? We look at our

systems from a reliability perspective. Are they consistently delivering quality services? And third, are they efficiently delivering those services? Are we trying to control the cost, reduce inefficient service areas, and provide that, those reliability and adequacy in an efficient manner? And I think when we look at the Utility Center assets north, that we can improve both adequacy, reliability and efficiency for both our customers and their customers, and many of the people that are in the city and becoming annexed in the city in the future. So that's really why we're here today from a technical reason, is to present to the Board those reasons how we could achieve those adequacy, efficiency and reliability improvements.

With that in mind, I have asked our technical staff, particularly Mark Gensic, who is the head of all our engineering and design and planning, to outline some issues a little bit more specifically how we think we can be providing those kind of benefits. His outline of issues was also submitted to Carolyn, so you have that in writing for the Board for your records. And with that, I will turn that over to Mr. Gensic.

MR. RHINEHART: All right. Thanks very much, Greg. And Mark, Angie, if you'd swear Mark in.

MARK GENSIC,

Called as a Witness herein,

having been first duly sworn,

testified as follows:

MR. GENSIC: Good morning, Chairman, members of the board. My name is Mark Gensic. I'm a registered engineer, licensed in the state of Indiana, and I am the manager of planning and design services for our water resources, for our City utilities. I've spent several years in 1987, 1992, as a city engineer. At that time, I was also a member of the City Planning Commission, so I'm familiar with the City of Fort Wayne's water system and some of the planning issues associated with our water service areas.

I think that the timing of this discussion about AquaSource territories is very appropriate. The City of Fort Wayne is currently in the midst of an overall 20 year master plan for the water utility. We're about ready to complete Phase I, and we've been spending an awful lot of time looking at various issues associated with not only our distribution system in our customers, but also water supply, water treatment, water storage. These are the types of things I'm going to talk about, the public benefit of the combining of these two systems.

I think it's appropriate to talk a little bit about the greater picture of the -- of the three rivers and the City

of Fort Wayne area, and the watersheds and where our water comes from. This is the St. Joseph River, this is the St. Mary's River and the Maumee River. (Indicating.) The City of Fort Wayne has the regional wastewater treatment plant that handles all of the sewage from the greater Fort Wayne area, including outlying communities, outlying communities in this area, not just the City of Fort Wayne.

The area that we're talking about is north of I-69 and west of I-69, in the northerly third or so of the city. All of that area drains into an intercepting sewer along the St. Joe River and to our wastewater treatment plant. That sewer service area that is serviced by the AquaSource water supply system, sheds to the city of Fort Wayne wastewater treatment plant, and that's part of the discussion as development occurs in that area, where is that sewage being treated, what are the capacities of the plant, and the interceptor sewers.

We currently provide all the wastewater treatment and interceptor sewer services to the AquaSource north sewer service area. Acquisition of the sewer service areas would -- would enhance the City's ability to optimize performance of these sewer systems and our treatment plant for all areas. That's the public benefit to the -- to the greater Fort Wayne community area, including the AquaSource area.

This particular map shows the water distribution

systems in the Fort Wayne area. We have several different zones. We have a southwest zone that feeds out in the GM area, the west zone, and then we have the northwest pressure zone, and that's the area north and west of the I-69 corridor. AquaSource North also is in that area, and their water service area is adjacent, right adjacent to our service area, and in some cases, even some overlaps of water mains.

City of Fort Wayne is planning an elevated storage tank in order to improve our pumping efficiency in that northwest pressure zone. AquaSource already has two elevated storage tanks in that area, so as we look at the total cost to the community of those kinds of improvements and elevated storage, it makes sense to look at whether or not we're building redundant facilities, or whether or not those tanks can service the entire area. And that's one of the things we're looking at as we do water master planning.

I think that essentially it would be very beneficial to the customers of both AquaSource and the Fort Wayne area, that we don't build redundant towers and redundant facilities, if the existing capacity is there to handle them both.

Likewise, the -- the distribution system, the water mains that are in the streets that feed the water to the -- to all the customers in that area. It makes a lot of

economic sense, and there is a public benefit to not building parallel water mains, especially in the areas of the systems that are adjacent to each other. As that area continues to develop, the pressure is on the transportation facility, the transportation corridor, to do more improvements, like Coldwater Road is an example of that. As those improvements are -- are made, we -- we -- utilities, both AquaSource and the City of Fort Wayne, look at is that the correct time to enlarge a feeder main, or to extend a water main, so there -- so it's not a situation we can sit back and not make decisions. There is things happening out there, and we are making decisions and have to. We continue to look at capital improvements to improve the water service to our customers.

We have a northwest pump station that feeds this northwest pressure zone that is located on Lima Road, very near Sam's Club and Smith Field. And that is a ten million gallon per day station. And the demand in the northwest pressure zone from the City system are above a million gallons a day, between one and two million gallons a day. And the AquaSource typically are between one and two million gallons a day. So that northwest pressure zone pump station does have the capacity to serve both fire and domestic needs in that area. We are also building, and planning on building a second pump station at I-69 and Auburn Road to

continue to have a second point to provide water pressure and water supply into that system.

Even during peak consumption times, such as dry weather or lawn watering conditions and fire conditions, the two pump stations that the City of Fort Wayne has combined with elevated storage at AquaSource, as would be adequate to provide the domestic lawn watering, fire protection needs of that entire zone north and west of I-69.

Our City of Fort Wayne treatment plant is located at the conjunction of the three rivers in downtown Fort Wayne. It has a capacity of 72 million gallons per day. We average throughout the course of the year using around 35 million gallons a days, and in the summer we get up to in the range between 50 and 60 million gallons a day, so we have the capacity at our treatment plant to provide water to all of the Fort Wayne customers, the growth areas of the Fort Wayne system all around the city, and the AquaSource territory north of the city.

Those were the -- my comments about the benefit to the customers and the public benefit of combining these two water systems under the jurisdiction of the City of Fort Wayne Water and Utilities.

MR. RHINEHART: Thanks very much, Mark, appreciate it.

And at this point, I'll ask anyone who wants to speak in remonstrance to this resolution, to please come down

forward to the podium.

Good morning, Bill.

MR. ETZLER: Good morning, Ted.

MR. RHINEHART: Angie, if you'd swear in Bill.

WILLIAM ETZLER,

Called as a Witness herein,

having been first duly sworn,

testified as follows:

MR. ETZLER: Good morning --

THE BOARD: Good morning.

MR. ETZLER: -- members of the board.

I have two items to deliver to the board this morning. I have some oral comments, which I also have printed, and I also have a letter regarding the resolution before you today.

MR. RHINEHART: And Bill, before you get started, remember to give us your name and --

MR. ETZLER: Yes, I will.

MR. RHINEHART: -- title for the record. Thanks.

MR. ETZLER: I'm William L. G. Etzler, Regional Manager of AquaSource, 2200 West Cook Road, Fort Wayne, Indiana. I'm here today as a representative of AquaSource to respond to resolution number 89-136-6. As the subject of this action contemplated in this resolution, AquaSource is interested in and affected by the Board's proceeding. I'm

also soon to be a city resident, and a current AquaSource customer.

AquaSource would like to respond to several points made in the resolution, and also to provide some additional background information for consideration by the Board. Our comments will focus on five specific areas; history of the negotiations, water quality/supply, customer care, our position on this proceeding and the future.

First, some history. During the past three years, both the current and previous city administration have inquired about the purchase of Utility Center, Incorporated assets. Meetings were held, maps exchanged, ideas discussed, but no formal offer was ever made to acquire the utility. Within the past year, one specific meeting stands out, because Frank Hoffmann, President of AquaSource, came to Fort Wayne specifically to meet with Mayor Richard, Mr. Rhinehart and myself to discuss this issue. At that meeting, Mr. Hoffmann expressed our sincere interest in working with the City on the series of issues, and committed to have his key managers meet with City representatives to explore areas of common interest. The next day, Randy Jones, Executive Vice President of AquaSource, and I met with Mr. Rhinehart and Mr. Meszaros, to discuss issues related to the City's interest. At this meeting, AquaSource took the initiative by proposing to trade utility assets of equal value with the

City.

Trading assets would enable the City to avoid borrowing money, relieve flow from some of the City's red zone sewer collection system, enhance the integration of Utility Center's infrastructure, and provide more coherent demarcation points for customers of our respective systems. In essence, what we proposed was a win-win situation for both utilities, as well as the utility customers.

The City never responded specifically to this proposal, rather months later, we received a letter from Mr. Rhinehart on January 10, 2002. In that letter, Mr. Rhinehart proposed that the City would purchase our north system, threatened condemnation proceedings, and gave AquaSource 25 days to respond. It was not clear whether this proposal had been approved either by the Board of Works, or the common council of the City. AquaSource responded on February 1st, 2002, and asked for clarification of numerous items raised in Mr. Rhinehart's letter.

We specifically questioned the basis of the valuation quoted, since it was not representative of the system's intrinsic value. No response was ever received from the City clarifying the issues that we raised. We concluded that Mr. Rhinehart had either uncovered flaws in the valuation, or was engaging a consultant to assist in a more appropriate evaluation.

The most recent meeting I had with Mr. Rhinehart and Mr. Meszaros took place on June 3rd, 2002. Once again, we discussed the City's interests in our system, and our willingness to participate in negotiations. At the conclusion of the meeting, Mr. Rhinehart agreed to give AquaSource until June 15th, 2002, to respond to the City. On June 5th, 2002, we received a certified letter from Mr. Rhinehart, indicating the Board's intent to move forward with condemnation, without allowing us to respond, as we had previously agreed. We responded anyway on June the 11th, 2002, with a certified letter to Mr. Rhinehart, once again expressing our interest in working with the City. Nevertheless, on June 12, 2002 the Board of Works ignored our letter, and took formal action in resolution 89-183-6.

The obvious question raised by this information, and as pointed out in the resolution is, which party has been unwilling to negotiate, and which party has been unresponsive? The Board of Works has embarked on a costly and adversarial path, with an uncertain outcome, whereas AquaSource has been frustrated by the lack of response to meaningful dialogue of the issues.

We also believe there are legal problems with the method the Board is using under this resolution. Most troubling is the fact that the Board has chosen a statutory process that does not allow for input from the general

public, oversight by the City Council, or action by the Indiana Utility Regulatory Commission.

The procedures called for in Indiana code 32-11-1.5, under which the Board of Resolution were adopted, are more suited for using and appropriating property for routine utility or highway matters. Those procedures are not appropriate for use in connection with the condemnation of an operating utilities property, and takeover of its customers. These are matters of great significance and wide public interest.

There are specific statutory procedures that deal with the condemnation of utility property and takeover of its customers that this Board has chosen to ignore. These statutes, given the significance of, and the interest in the takeover of a utility operation, expressly allow for public input and oversight. Specifically, Indiana code 8-1.5-2 requires the involvement of City Council and a public referendum before a utility's property and customers can be appropriated. The Board's preferred way of proceeding under Indiana code 32-11-1.5, allows for no similar input or oversight. The Board's process also does not allow for the involvement of the Indiana Utility Regulatory Commission in this action. This is surprising, given that Fort Wayne in our rate case, severely criticized AquaSource for not gaining commission approval before acquiring the utility

center. More importantly, if AquaSource were not providing adequate service, the Indiana Utility Regulatory Commission could have pursued action under Indiana Code 8-1-30. The City could have also requested such intervention before taking any condemnation action. This statute was enacted specifically, because of the previous history of the utility center before AquaSource's acquisition. Is avoiding this statute based on the Board's inability to prove their allegations about the quality of service, or could it be that the Board wants to circumvent public interest and avoid a referendum, which is required by Indiana code 8-1.5-2? Why shouldn't our customers and homeowners, and the City Council have a voice in this proceeding?

Misapplying this statute is not the City's first attempt to avoid seeking public input into this process. In March of 2002, the Fort Wayne staff attempted to have Indiana code 8-1-1.5-16 amended by the general assembly. This amendment would have exempted cities the size of Fort Wayne from the voter referendum provision. This effort failed, and Fort Wayne requested that AquaSource waive this provision, which we noted would not be in the public's interests and refused to do. Again, we ask why avoid public input? Shouldn't this be an open process, allowing the citizens and customers to have a voice?

The Board's resolution has also mentioned water qual --

excuse me -- water quality and supply issues, as a reason to condemn the utility center. As the City well knows, AquaSource acquired the utility center when it was in a seriously impaired condition, requiring significant capital improvement. In fact, my first day at AquaSource on July 12th, 1999, the only water storage facility in the north system went dry. We had to issue a boil advisory, and request customers to reduce water usage. IDEM followed up by issuing an early warning letter to the utility, and AquaSource followed up with a compliance plan. The early warning has been lifted, because we followed through on our compliance plan, and completed the needed improvements on schedule. We also just produced and distributed to all of our customers the consumer confidence records, as required by federal law. These reports clearly indicate that the water being delivered to the utility center customers meets all regulatory standards for water quality.

We have placed new wells in service, upgraded treatment plants, provided new storage facilities, and installed interconnecting transmission lines since that day in 1999. No water shortages have occurred, and water -- water quality has improved. Why? Because AquaSource has invested significant capital in north system improvement during the past three years, and we're not finished.

Customer complaints have also diminished to an all time

low. In 1999, unfortunately, we averaged more than 120 water quality complaints per month. This year we are receiving less than 20 per month. Last year, an independent customer survey ranked us in the 89th percentile overall, based on water quality and customer care. Where does the City gets its information regarding poor water quality and poor service? While AquaSource continues to address problems we inherited by acquiring the utility center, the cavalier characterizations made by the City are both overblown and unfounded.

The Board's action also seems unwarranted in light of the massive wastewater system improvements needed by the City. The storm event of last week reinforces that those improvements should start sooner, rather than being delayed. Could the funding contemplated for the utility center acquisition be better spent on advancing those improvements?

And how are proposed development projects being handled by the City in the north system? Developers have been told there is no sewer capacity available, unless they extend City water to their development. This requires developers to bear the unnecessary cost of extending service, when AquaSource service is already available at those sites. Land readily available for development is being held hostage, because the City believes they will influence our

decision to sell the utility. This is not a sound way to promote economic development, a major point in the Mayor's plan for city improvement. It appears to be a coercive effort by the City to limit our customer growth. And what does the future hold for AquaSource customers? Mr. Rhinehart has publicly stated that customers of AquaSource will remain on the existing wells, treatment plants and distribution system for the foreseeable future, and not transfer the water supplied by the City filtration plant until further improvements can be made. How will this improve water quality and service, as stated in the resolution? Obviously, it won't. And what about rates? Will City utilities charge more to noncity residents? Will they charge current AquaSource rates to customers receiving AquaSource water, and City rates to those receiving City water?

In conclusion, I'll emphasize four points. First, although the Board purports that AquaSource has been unresponsive, we have responded to each of the City's inquiries, only to be met with silence.

Second, we believe the City's effort under IC32-11-1.5, to condemn the Utility Center north system is misguided. The statute does not allow for public or elected official input or oversight. An issue of this magnitude surely should not be left in the hands of this Board alone.

Third, we challenge the Board's position that AquaSource is providing inadequate service and low quality water. The facts on this issue speak for themselves.

And fourth and finally, AquaSource is and has been willing to discuss the issues related to the north system. We believe the best solution is an exchange of assets, which will enhance both Fort Wayne system, and our system to better serve our respective customers.

Thank you for allowing me to present AquaSource's position on this matter.

MR. RHINEHART: Thanks very much, Bill. Appreciate your taking all this time and -- and information. That's -- that's a written copy?

MR. ETZLER: Yes, sir.

MR. RHINEHART: Okay. And we'll give a copy of that to Carol to save, and we'll also probably get a copy to Angie.

Is there anyone else who wanted to speak on this matter in remonstrance, or any other general comments? If so, please come forward. Seeing nobody else, at this point I'll declare the public hearing to be closed. Thanks again, Greg and Mark and Bill for your time and preparation. And at this point, the Board will take all these comments under advisement, and we'll review the record that we get from Angie, once it's printed. And we'll be back probably at next week's meeting, or a future meeting, with a decision

either to amend the resolution, or to confirm it, or rescind it, one of the above. So at this point, I'll declare the public hearing closed, and we'll be back probably next week to take further action. Thanks again.

(Whereupon, the hearing was concluded at 9:32 on this date.)

CERTIFICATE OF THE REPORTER

I, Angela A. O'Neill, a Registered Professional Reporter and Notary Public, in and for the State of Ohio, Mercer County, (acting in Allen County, Indiana) hereby certify there appeared before me on July 3, 2002, GREG MESZAROS, MARK GENSIC, and WILLIAM ETZLER, who were duly sworn to testify the truth, the whole truth, and nothing but the truth at the hearing in a cause now pending and undetermined.

I further certify that I then and there reported in machine shorthand the proceedings at the said time and place; that the proceedings were then transcribed from my original shorthand notes; and that the foregoing transcript is a true and correct record thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed this seal this _____ day of _____, 2002, A.D.

_____

Angela A. O'Neill, RPR

My Commission Expires: Aug. 10, 2002

SCR

Summit City Reporting, Inc.

Certified Court Reporters

July 5, 2002

Carolyn Newport, Clerk
Fort Wayne Board of Public Works
City-County Building, 4th Floor
Fort Wayne, IN 46802

VIA HAND DELIVERY

Re: Board of Public Works
Hearing, taken July 3, 2002

(Enclosed are items checked below)

✓	Original transcript(s) of hearing
	Copy of deposition(s) w/exhibits.
✓	Copy of transcript w/o exhibits.
	Complimentary condensed copy(s).
	Copy(s) of Certified Questions.
	Original (sealed) Certified Questions to file with the Court.
	Original (sealed) deposition(s) w/exhibits to file with Court (Signature waived)
	Original (sealed) deposition(s) w/o exhibits (Signature waived)
	Executed Original (sealed) deposition(s) w/exhibits to file with the Court.
	Executed Original (sealed) deposition(s) w/o exhibits to file with the Court.
	Errata Sheet(s)
✓	Video Tape(s)
	Disk

Sincerely,

Rosie Duehmig
Office Manager

Enclosure
RD/mhr

3518 Stellhorn Road • Ft. Wayne, IN 46815
(260) 486-3954 • 1-800-977-DEPO (3376) • Fax (260) 485-2596

REMONSTRANCE

Fort Wayne, Ind.,_____

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate respectfully remonstrate against the passage of a resolution providing for the

NOTE: ***In case of joint deeds both husbands and wives must sign with their respective legal signatures.***
(Please note name of any deceased joint property owner.)

NAME	ADDRESS
Len Pickler	2811 Rolling Meadows 46774
Cindy Lyons	News Sentinel
William Kitzler	2200 W Cook Road 46818
Daniel J. Borgmann	300 Harrison Bldg 46802
James T. Howard	% Purdue Dept/Rm350 46802
Molly McCleary	City Council Rm290
Ted Nitsa	City of Ft Wayne
Kris DeGabriele	City of Ft Wayne
John Fencl	C.D. of Ft Wayne
Michelle Nelson	Bow.

000123

Remonstrance Against Passage

of a Resolution for

_____

_____

_____

_____

from _____

to _____

Filed with the Board of Public Works

Fort Wayne Condemnation Response
To
Fort Wayne Board of Public Works

July 3, 2002

Good Morning,

I am William L. G. Etzler, Regional Manager of AquaSource, 2200 West Cook Road, Fort Wayne, Indiana 46818. I am here today as a representative of AquaSource to respond to Resolution Number 89-136-6. As the subject of the action contemplated in this resolution, AquaSource is interested in and affected by the Board's proceedings. I am also soon to be a City resident and am a current AquaSource customer.

AquaSource would like to respond to several points made in the resolution and also provide additional background information for consideration by the Board. Our comments will focus on five (5) specific areas: history of negotiations, water quality/supply, customer care, our position on this proceeding and the future.

First - some history. During the past three (3) plus years both the current and the previous City administration have inquired about the purchase of Utility Center, Inc. assets. Meetings were held, maps exchanged, ideas were discussed but no formal offer was made to acquire the utility. Within the past year, one specific meeting stands out because Frank Hoffmann, President of AquaSource, came to Fort Wayne specifically to meet with Mayor Richard, Mr. Rhinehart and myself to discuss this very issue. At that meeting Mr. Hoffmann expressed our sincere interest in working with the City on a series of issues and committed to have his key managers meet with City representatives to explore areas of common interest. The next day, Randy Jones, Executive Vice President, AquaSource, and I met with Mr. Rhinehart and Mr. Greg Mazarros to discuss issues related to the City's interest. At this meeting, AquaSource took the initiative by proposing to trade utility assets of equal value with the city.

Trading assets would enable the City to avoid borrowing money; relieve flow from some of the City's red zone sewer collection system; enhance the integration of the Utility Center's infrastructure and provide more coherent demarcation points for customers of our respective systems. In essence what we proposed was a "Win-Win" proposition for the City's customers as well as Utility Center's customers.

The City never responded specifically to this proposal. Rather, months later we received a letter from Mr. Rhinehart on January 10, 2002. In that letter, Mr. Rhinehart proposed that the City purchase our "North System", threatened condemnation proceedings and gave AquaSource twenty-five (25) days to respond. It was not clear whether this proposal had been approved by either the Board of Public Works or by the Common Council of the City. AquaSource responded on February 1, 2002 asking for clarification of numerous items raised in Mr. Rhinehart's letter. We specifically questioned the basis for the valuation quoted, since it was not representative of the system's intrinsic value. No response was ever received from the City

clarifying the issues raised. We concluded that Mr. Rhinehart had uncovered flaws in the valuation and understood he was engaging a consultant to assist in a more appropriate valuation.

The most recent meeting I have had with Mr. Rhinehart and Mr. Mazarros took place on June 3, 2002. Once again we discussed the City's interest in our system and our willingness to participate in negotiations. At the conclusion of that meeting, Mr. Rhinehart agreed to give AquaSource until June 15, 2002 to respond to the City. On June 5, 2002, we received a certified letter from Mr. Rhinehart indicating the Board's intent to move forward with condemnation without allowing us opportunity to respond, as was previously agreed at the June 3meeting. We responded anyway on June 11, 2002 with a certified letter to Mr. Rhinehart, once again expressing our interest in working with the City. Nevertheless, on June 12, 2002, the Board of Works ignored our letter and took formal action in Resolution Number 89-183-6.

The obvious question raised by this information is which party has been unwilling to negotiate and which party has been unresponsive? The Board of Public Works has embarked on a costly and adversarial path with an uncertain outcome, whereas AquaSource has been frustrated by the lack of response to meaningful dialogue of the issues.

We also believe there are legal problems with the method the Board is using under Resolution No. 89-136-6. Most troubling is the fact the Board has chosen statutory procedures that do not allow for input from the general public, oversight by the City Council or action by the Indiana Utility Regulatory Commission.

The procedures called for by IC 32-11-1.5, under which the Board's Resolution was adopted, are more suited for use in appropriating property for routine utility or highway projects. Those procedures are not appropriate for use in connection with the condemnation of an operating utility's property and takeover of its customers. These are matters of great significance and of wide public interest.

There are specific statutory procedures that deal with the condemnation of utility property and takeover of its customers that the Board has chosen to ignore. Those statutes, given the significance of and interest in the takeover of a utility operation, expressly allow for public input and oversight. Specifically, IC 8-1.5-2 requires the active involvement of City Council and a public referendum before a utility's property and customers can be appropriated. The Board's preferred way of proceeding under IC 32-11-1.5 allows for no similar input or oversight. The Board's process also does not allow for the involvement of IURC in the action. This is surprising given Fort Wayne, in our rate case, severely criticized AquaSource for not gaining Commission approval before acquiring Utility Center. More importantly, if AquaSource were not providing adequate service, IURC could have pursued action under IC 8-1-30. The City could also request such intervention before taking any condemnation action. This statute was enacted specifically because of the previous history of Utility Center before acquisition by AquaSource. Is avoiding this statute based on the Board's inability to prove their allegations about quality of service?

Could it be the Board wants to circumvent public input and avoid a referendum as required by IC 8-1.5-2? Why shouldn't affected homeowners and Council members have a voice in this proceeding?

Misapplying this statute is not the City's first attempt to avoid seeking public input into a process that directly affects each household and business. In March 2002, the Fort Wayne staff attempted to have IC 8-1-1.5-16 amended by the General Assembly. This amendment would have exempted cities the size of Fort Wayne from the voter referendum provision. This effort failed, and Fort Wayne requested that AquaSource waive this provision, which we noted would not be in the public's interest, and refused to do. Again, we must ask, why avoid public input? Shouldn't this be an open process allowing citizens/customers to have a voice?

The Board's resolution has also mentioned water quality and supply issues as reasons to condemn Utility Center. As the City well knows, AquaSource acquired the Utility Center when it was in a seriously impaired condition requiring significant capital improvements. In fact on my first day at AquaSource in July 1999, the only water storage facility in our North System went dry. We had to issue a boil advisory and request customers to reduce water usage. IDEM followed up by issuing an Early Warning letter and AquaSource followed up with a compliance plan. The Early Warning was lifted because we followed through on our compliance plan and completed the needed improvements on schedule. We also just produced and distributed to all of our customers the Consumer Confidence Reports. These reports clearly indicate that the water being delivered to the Utility Center customers meets all regulatory standards for water quality.

New wells were placed in service, treatment plants upgraded, new storage facilities built and new transmission lines installed since that day in July 1999. No water shortages have occurred and water quality has improved. Why? Because AquaSource has invested significant capital in North System improvements during the past three (3) years and we're not finished.

Customer complaints have also diminished to an all time low. In 1999, we averaged more than 120 water quality complaints per month. This year we are receiving less than 20 per month. Last year, an independent customer survey ranked us in the 89th percentile overall based on water quality and customer care. Where does the City get its information regarding poor water quality and poor service? While AquaSource continues to address problems we inherited by acquiring the Utility Center, the cavalier characterizations made by the Board are both overblown and unfounded.

The Board's action also seems unwarranted in light of the massive wastewater system improvements needed by the City. The storm event of last week reinforces that these improvements should start sooner rather than be delayed. Couldn't the funds contemplated for Utility Center acquisition be better spent on advancing these improvements?

How are proposed development projects being handled by the City in our North System? Developers have been told no sewer capacity is available unless they extend City water to their site. This will require developers to bear unnecessary cost because AquaSource service is already available at these sites. Land readily available for development is being held hostage because the City believes they will influence our decision to sell the utility. This does not appear

to be a sound way to promote economic development, a major point in the mayor's plan for the City improvement. It appears to be a coercive effort by the City to limit our customer growth.

What does the future hold for AquaSource customers? Mr. Rhinehart has publicly stated that customers of AquaSource will remain on the existing wells, treatment plants and distribution system for the foreseeable future and not transferred to water supplied by the City Water Filtration Plant. How will this improve water quality and service as stated in the resolution? Obviously, it won't.
And what about rates? Will City Utilities charge more to non-City residents? Will they charge current AquaSource rates to customers receiving AquaSource water and City rates to those receiving City water?

In conclusion, we must emphasize four (4) points. First, although the Board purports that AquaSource has been unresponsive, we have responded to each of the City's inquiries only to be met with silence.

Second, we believe the City's effort under IC 32-11-1.5 to condemn the Utility Center North System is misguided. This statute does not allow for public or elected official input or oversight. An issue of this magnitude should surely not be in the hands of this Board alone.

Third, we challenge the Board's position that AquaSource is providing inadequate service and low quality water. The facts on this issue speak for themselves.

Fourth and finally, AquaSource is and has been willing to discuss the issues related to the North System. We believe the best solution is an exchange of assets, which will enhance both Fort Wayne's system and our system to better serve our respective customers.

Thank you for allowing me to present AquaSource's position on this matter.

Bill Eglon

000127

TRANSACTION REPORT

JUL-05-2002 FRI 08:36 AM

FOR:

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
JUL-05	08:33 AM	94852596	2′ 46″	7	SEND	OK	259	

TOTAL : 2M 46S PAGES: 7

Fort Wayne Condemnation Response
To
Fort Wayne Board of Public Works

July 3, 2002

Good Morning,

I am William L. G. Etzler, Regional Manager of AquaSource, 2200 West Cook Road, Fort Wayne, Indiana 46818. I am here today as a representative of AquaSource to respond to Resolution Number 89-136-6. As the subject of the action contemplated in this resolution, AquaSource is interested in and affected by the Board's proceedings. I am also soon to be a City resident and am a current AquaSource customer.

AquaSource would like to respond to several points made in the resolution and also provide additional background information for consideration by the Board. Our comments will focus on five (5) specific areas: history of negotiations, water quality/supply, customer care, our position on this proceeding and the future.

First - some history. During the past three (3) plus years both the current and the previous City administration have inquired about the purchase of Utility Center, Inc. assets. Meetings were held, maps exchanged, ideas were discussed but no formal offer was made to acquire the utility. Within the past year, one specific meeting stands out because Frank Hoffmann, President of AquaSource, came to Fort Wayne specifically to meet with Mayor Richard, Mr. Rhinehart and

AquaSource
A DQE Company

2200 West Cook Road
Fort Wayne, IN 46818

219-489-1502
219-489-3913 (fax)

2

July 2, 2002

DELIVERED VIA CERTIFIED MAIL #7001 1140 0002 7376 5585
AND FACSIMILE

Mr. Ted Rhinehart
President
Board of Public Works
City Fort Wayne, Indiana
City County Building
One Main Street
Fort Wayne, IN 46802

Re: Resolution No. 89-183-6

Dear Mr. Rhinehart:

Utility Center, Inc. d/b/a AquaSource ("Utility Center") objects to Resolution No. 89-183-6 adopted by the Board of Public Works on June 12, 2002 (the "Resolution). The Resolution, which purports to authorize the condemnation and appropriation of Utility Center's "North System", is factually inaccurate and its adoption otherwise contrary to law. The Board should rescind the Resolution as allowed by Indiana Code § 32-11-1.5-3.

Also, please be advised that I will attend the public hearing scheduled for July 3, 2002 in order to present Utility Center's remonstrance against the Resolution.

Sincerely,

William L. G. Etzler
Regional Manager

WLGE:mkt

cc: Frank A. Hoffmann, President – AquaSource
Randy Jones, Executive Vice-President – AquaSource
Kimon Pandapas, Vice President – AquaSource
Philip McKiernan, Attorney – Hackman Hulett & Cracraft

000093

City of Fort Wayne
Water Utility
Water Master Plan – Phase 1

Mark Gensic, P.E.
July 3, 2002

Northwest Pressure Zone / Aqua Source

Engineering reasons that acquisition of Aqua Source North would be cost effective and beneficial to the Fort Wayne community.

1. City Water system north in NWPZ (northwest of I-69) is planning an elevated storage tank in order to improve pumping efficiency and save costs. Aqua Source has two elevated storage tanks on Coldwater Road.

2. Avoid unnecessary cost of parallel water mains (12 inch diameter) at borders of City Water and Aqua Source Water service territory.

3. City's Northwest Pump Station is located close to Aqua source Cook Road treatment plant and pumping. Dual pumping facilities are redundant and unnecessary if water systems were combined.

4. City Water treatment plant has 72 MGD capacity and can supply the 2 MGD demands of the Aqua Source customers with out treatment plant capacity expansion.

5. City is building a new Northwest Booster Station (Number 2) at Auburn Road and I-69 in year 2003 in order to increase backup pumping and distribution system reliability in NWPZ. Both Aqua Source customers and City service area customers would benefit from this backup pumping station.

6. The completion of June, 2002 pump station improvements at City Northwest Pump Station (Number 1), provide backup fire protection hydrant pressure in the areas north and west of I-69. Even during peak water consumption times such as evening lawn watering in dry summer weather conditions, the combined pump station capacities of City and Aqua Source would increase reliability and redundancy for water customers of both utilities. (Several system interconnections would have to be built).

7. The City currently provides all wastewater treatment and interceptor transportation services for the Aqua Source North sewer service areas. Acquisition of the sewer service areas would enhance the City's ability to optimize performance of the sewer systems in and around these areas.

City of Fort Wayne
Water Utility
Water Master Plan – Phase 1

Mark Gensic, P.E.
July 3, 2002

Northwest Pressure Zone / Aqua Source

Engineering reasons that acquisition of Aqua Source North would be cost effective and beneficial to the Fort Wayne community.

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7. The City currently provides all wastewater treatment and interceptor transportation services for the Aqua Source North sewer service areas. Acquisition of the sewer service areas would enhance the City's ability to optimize performance of the sewer systems in and around these areas.

JULY 3, 3002

#3

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk, David Ross, City Engineer; Mario Trevino & Mike Fruchey, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; John Perlich, PIO; Kurt Hellerman; CH2M Hill; Tom Smith, Council Representative; Ned Byrer, Associate Director, Utilities; Ron Sheppard & Bill Maxwell, Engineering Support Services; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Jim Riemke, Street Light Engineering; Mark Gensic, Matthew Wirtz, Mike Hicks, Christina Williams; Phil Giaquinta; Angie O'Neil, Summit City Reporting; Jim Howard, City Law Department; William L. G. Etzler, Regional Manager, AquaSource.

1. **RECEIVE PROPOSALS:** ITRON Mobile Automatic Reading System;

   ABB Water Meters
   EJP
   Selection Committee to review proposals and make recommendation.

2. **RECEIVE BIDS:** Improvement Resolution #6886-02, Coldwater Road & Washington Center Road;

BROOKS CONST.	530,369.51
PIONEER ASSOC.	566,449.41
PRIMCO INC.	616,648.64

   Eng. Est. - $482,052.04
   City Engineering to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #6892-02, Liberty Development;

BROOKS CONST.	141,460.00
HIPSKIND CONCRETE	120,542.00
KEY CONCRETE	130,265.00

   Eng. Est. - $109,365.00
   Transportation Engineering Services to tabulate and report.

4. Administrative Hearing for Resolution of the Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A AquaSource North Sewer and Water System;

   Angie O'Neil, Summit City Reporting swore in Greg Meszaros, Associate Director, City Utilities.

   Mr. Meszaros gave the background of the Water Utility;

   Angie O'Neal then swore in Mark Gensic, Manager of Planning & Design;

Mark Gensic addressed the Board regarding engineering reasons of why the purchase of AquaSource North would be cost effective and beneficial to the Fort Wayne community.

Angie O'Neil swore in William L. G. Etzler, Regional Manager of AquaSource.

William L. G. Etzler then addressed the Board and responded to several points in the Resolution.

Ted Rhinehart stated that the Board would probably take action at next weeks Board of Public Works Meeting to amend, confirm or rescind the Resolution. Hearing declared closed at 9:35 a.m. **Copy of complete minutes of Hearing to be on file in the Board of Public Works.**

5. Approval of Board of Public Works Minutes of June 26, 2002 and Public Hearing Minutes for Improvement Resolution #1516-02, Constitution Drive;
Denise Porter-Ross moved approval of Board of Public Works Minutes of June 26, 2002 and Public Hearing Minutes for Improvement Resolution of #1516-02, Constitution Drive. Motion carried. Minutes approved.

6. **AWARD:** Improvement Resolution #1109-02, Plaza & Colonial Water Main Replacement to Dafforn Excavating in the amount of $127,305.25. Contract Compliance concurs with this award;
John Suarez moved approval of AWARD: Improvement Resolution #1109-02, Plaza & Colonial Water Main Replacement to Dafforn Excavating in the amount of $127,305.25. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6893-02, Ardmore Avenue from Lower Huntington Road to Covington Road to Brooks Const. Co., Inc. in the amount of $323,110.30. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED.**
John Suarez moved approval of AWARD: Improvement Resolution #6893-02, Ardmore Avenue from Lower Huntington Road to Covington Road to Brooks Const. Co., Inc. in the amount of $323,110.30. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6840-02, Chestnut Street decreasing the contract price by $141.80. The original contract price was $25,580.00. The new contract price including this change order is $25,438.20.
Denise Porter-Ross moved approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6840-02, Chestnut Street decreasing the contract price by $141.80. Motion carried. Contract price to be decreased.

9. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6890-02, Chestnut Street, Phase II decreasing the contract price by $5.94. The original contract price was $36,665.00. The new contract price including this change order is $36,659.06.
John Suarez moved approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6890-02, Chestnut Street, Phase II decreasing the contract price by $5.94. Motion carried. Contract price to be decreased.

10. Approval of Change Order #1 (FINAL) received from Hipskind Concrete Corp. for Improvement Resolution #6851-02, Main Street, decreasing the contract amount by $24.30. The original contract price was $34,436.00. The new contract price including this change order is $34,411.70.
Denise Porter-Ross moved approval of Change Order #1 (FINAL) received from Hipskind Concrete Corp. for Improvement Resolution #6851-02, Main Street, decreasing the contract amount by $24.30. Contract price to be decreased.

11. Approval of Change Order #1 received from All Star Construction & Excavating for Improvement Resolution #6736-01, Clinton Street - Coldwater to Coliseum increasing the contract price by $54,925.28. The original contract price was $776,888.50. The new contract price including this change order is $831,813.78.

Held for further review.

12. Approval of Change Order #3 received from R. E. Crosby for New Fire Stations 12, 16, and 17 increasing the contract amount by $8,536.00. The original contract price was $3,779,550.00. The new contract price including this change order is $3,770,932.50.

Shelli Young, Property Manager said that this Change Order is for the following:

Add thresholds and sweeps to all three Fire Stations.
Add a trench drain at Fire Station #16.
Add doorbells to all three Fire Stations.
Cost to move 2" fill outlet and WH-1 at all three Fire Stations.
Cost to enlarge overhead doors at all three Fire Stations.
Cost to add steel beam at all three Fire Stations to eliminate masonry bulkhead.
Cost to provide two additional hollow metal doorframes at Fire Station #12.
Cost to provide steel angles to reinforce pre-case lintels at Fire Station #12.
Credit to modify the existing mezzanine doorframes at Fire Station #12.

John Suarez inquired about compliance on wages for this project.

Charles Bailey remarked that wages are in compliance.
John Suarez moved approval of Change Order #3 received from R. E. Crosby for New Fire Stations 12, 16, and 17 increasing the contract amount by $8,536.00. Motion carried. Contract price to be increased.

13. Approval of Change Order #1, 2, 3, and 4 received from Louis Lee Lengacher for FWPD Operations Center totaling $3,949.00. The new contract price including these change orders is $152,054.00.

Shelli Young, Property Manager said that this Change Order is for the following:

Eliminate door 122A and increase the opening size to 4'0"
Continue sheet vinyl flooring from waiting area 113 into and through Credit Union Passage 122.

John Suarez questioned Contract Compliance to see if this project included prevailing wages.

Charles Bailey, Contract Compliance to check and respond to the Board.
Denise Porter-Ross moved approval of Change Order #1, 2, 3, and 4 received from Louis Lee Lengacher for FWPD Operations Center totaling $3,949.00. Motion carried. Contract price to be increased.

14. Approval for **IMPROVEMENT RESOLUTION #650-01,** Forest Park Combination Sewer Rehabilitation.

Mike Hicks, Planning and Design Services said that this project consists of rehabilitating a total 7,336 l.f. of 15", 18" 24" and 30" combination sewers used the cured-in-place method. This project will consist of sport repairs.
John Suarez moved approval for IMPROVEMENT RESOLUTION #650-01, Forest Park Combination Sewer Rehabilitation. Motion carried. Bids to be received on 7/24/02.

15. Approval for **IMPROVEMENT RESOLUTION #1098-02,** Shoaff Park Feeder Main.

Matthew Wirtz, Planning & Design said that this project is for approximately 1,725 l.f. of 12" water main.
Denise Porter-Ross moved approval for IMPROVEMENT RESOLUTION #1098-02, Shoaff Park Feeder Main. Motion carried. Bids to be received by 7/24/02.

16. Approval for **RESOLUTION** of the Board of Public Works to Establish Area Connection Fees for the Neuhaus Interceptor Extension Within a Portion of the Spy Run Service Area.

Held for further review.

17. Approval of Amended Sewer Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).

    Held for further review.

18. Approval of Amended Sewer Contract #2002-S-11 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone. (PRIVATELY FUNDED).

    Held for further review.

19. Approval of Sewer Contract #2002-S-22 between William & Donna Richardson and the Fort Wayne Water Pollution Control utility to construct a local sanitary sewer system to serve Kinnerk Road Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED).
    Denise Porter-Ross moved approval of Sewer Contract #2002-S-22 between William & Donna Richardson and the Fort Wayne Water Pollution Control utility to construct a local sanitary sewer system to serve Kinnerk Road Sanitary. Motion carried. Sanitary sewer to be constructed.

20. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Primary Clarifiers & 85 MGD Upgrades. The fee amount for this Agreement is $1,699,919. Planning & Design Services recommend approval.

    Held for further review.

21. Approval of Professional Services Agreement between the City of Fort Wayne and GRW Engineers for Evaluation Report for Griswold Drive, Morton Street and Third Street Lift Stations. The not-to-exceed fee is $20,900.00. Planning & Design Services recommend approval.

    Mark Gensic, Planning & Design Services said that the general scope is to evaluate and develop an engineering report on improvements to selected features of each of the three lift stations.
    John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and GRW Engineers for Evaluation Report for Griswold Drive, Morton Street and Third Street Lift Stations. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for High Service Pump Improvements – Preliminary Design. Compensation for services performed will be a lump sum fee of $36,000.00. Planning & Design Services recommend approval.

    Mark Gensic, Planning & Design Services said that this is the first phase of the project. Mr. Gensic said that this agreement consists of site planning, engineering evaluation, and cost estimating of finished water reservoirs, electrical service to hi-service pumps and hi-service capacity pumps at the Three Rivers Water Filtration Plant.
    Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for High Service Pump Improvements – Preliminary Design. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Professional Service Agreement between the City of Fort Wayne and HNTB Corporation for Reservoir-Pumping-Electrical Site Master Plan. Compensation for services performed will be a lump sum fee of $98,700.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design Services said that the goal of this project is to work with the City of Fort Wayne stakeholders in developing an integrated conceptual master plan for phased improvements to the Three Rivers Filtration Plant with provisions for an uninterrupted supply of quality water to the people of Fort Wayne and surrounding wholesale users. The Reservoir-Pumping-Electrical Site Master Plan will identify conceptual designs and estimated budgetary costs for the systematic upgrade of and addition to other to the following elements.

River intake facility;
Site finished water piping and valving;
Finished water clearwells & reservoirs;
High service pumping facilities;
Plant power distribution & emergency power systems; and,
Selected site security facilities.
John Suarez moved approval of Professional Service Agreement between the City of Fort Wayne and HNTB Corporation for Reservoir-Pumping-Electrical Site Master Plan. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Professional Service Agreement Amendment between the City of Fort Wayne and SES Environmental for Corrective Action Water Pollution Control Plant – Petroleum Fuel Contamination. The total Amendment I amount is $89,103.21 and the revised not-to-exceed amount shall be $237,103.21.

Mark Gensic, that this agreement provides that SES would complete the design and submit for approval a corrective action plan to remediate contaminated soil and groundwater in an area referred to as Basin A.
Denise Porter-Ross moved approval of Professional Service Agreement Amendment between the City of Fort Wayne and SES Environmental for Corrective Action Water Pollution Control Plant – Petroleum Fuel Contamination. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Change Order #1 received from Maddox Industrial Contractors for Improvement Resolution #1102-01, Filter 15 Rehabilitation increasing the contract price by $25,411.00. The original contract price was $184,900.00. The new contract price including this change order is $210,311.00.

Ron Sheppard, Engineering Support Services apprised the Board that this Change Order was necessary because of the following: filter backwash pump motor installed requires greater power than designed transformer can handle without shortening its life. This change directive will exchange the 225 KVA transformer for the filter backwash and replace it with a 300 KVA transformer with 80 degrees rise copper windings. The larger transformer will be installed for the Filter Backwash pump, the 225 KVA transformer from the backwash system will be used for this Filter 15.
John Suarez moved approval of Change Order #1 received from Maddox Industrial Contractors for Improvement Resolution #1102-01, Filter 15 Rehabilitation increasing the contract price by $25,411.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

26. Approval of General Accounting Claims in the amount of $16,097,696.35;
Denise Porter-Ross moved approval of General Accounting Claims in the amount $16,097,696.35. Motion carried. Claims to be sent to the Department of Finance.

27. Approval of write-off of delinquent revenue accounts received from City Utilities Accounting for April 2002 in the amount of $18,566.40;
Denise Porter Ross moved approval of write-off of delinquent revenue accounts received from City Utilities Accounting for April 2002 in the amount of $18,566.40. Motion carried. Delinquent revenue accounts to be sent to a collection agency.

28. Approval of write-off of delinquent miscellaneous billings received from City Utilities Accounting in the amount of $8,316.56.

Denise Porter-Ross moved approval of write-off of delinquent miscellaneous billings received from City Utilities Accounting. Motion carried. Delinquent miscellaneous billings to be sent to a collection agency.

29. Old Business:

None.

30. New Business:

AWARD: Improvement Resolution #6888-02, Miscellaneous Concrete Package 2-B-02 to Newell Construction Co., in the amount of $164,721.00. Contract Compliance concurs with this award.
John Suarez moved approval of AWARD: Improvement Resolution #6888-02, Miscellaneous Concrete Package 2-B-02 to Newell Construction Co., in the amount of $164,721.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

Approval of Construction Contract #279-02 between Lights & Signals for Hacienda Village Street Light Improvement in the amount of $59,947.75.
John Suarez moved approval of Construction Contract #279-02 between Lights & Signals for Hacienda Village Street Light Improvement in the amount of $59,947.75. Motion carried. Notice to proceed to be sent.

EMERGENCY RESOLUTION for repair of combination sewer pipes on Osage Avenue.

Mike Hicks, Planning & Design Services said that that two existing VCP combination sewer pipes have collapsed in a parking lot south of Richardson and in the alley south of Howell. T & E Inc., All Star Inc., Liberty Const, and Fleming Inc. were invited to submit quotes on the repair.
Denise Porter-Ross moved approval of Emergency Resolution for repair of combination sewer pipes on Osage Avenue. Motion carried. Copy to be herein incorporated. Purchase Department to issue an Emergency Purchase Order to said contractor chosen for said repair.

EMERGENCY RESOLUTION for repair of a public 12" water main under Building #8 on the Essex Group Building Site;

Matthew Wirtz, Planning & Design Services said that the repair may require 1,550 l.f. of 12" water main and include a bore of the St. Mary's River. All Star Inc., Bercot Inc., Liberty Const., and Fox Contractors shall be invited to submit quotes on the repair.
Denise Porter-Ross moved approval of Emergency Resolution for repair of a public 12" water main under Building #8 on the Essex Building Site. Motion carried. Copy to be herein incorporated. Purchase Department to issue an Emergency Purchase Order to said contractor chosen for said repair.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

000099

BOARD OF STORMWATER MANAGEMENT.
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk, David Ross, City Engineer; Mario Trevino & Mike Fruchey, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; John Perlich, PIO; Kurt Hellerman; CH2M Hill; Tom Smith, Council Representative; Ned Byrer, Associate Director, Utilities; Ron Sheppard & Bill Maxwell, Engineering Support Services; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Jim Riemke, Street Light Engineering; Mark Gensic, Matthew Wirtz, Mike Hicks, Christina Williams; Phil Giaquinta; Angie O'Neil, Summit City Reporting; Jim Howard, City Law Department; William L. G. Etzler, Regional Manager, AquaSource.

1. Approval of Board of Stormwater Management Minutes of June 26, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of June 26, 2002. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #647-02, Hickory Grove/Waycross Drive to Land, Inc. in the amount of $105,160.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #647-02 to Land, Inc. in the amount of $105,160.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Contract #665-02 between Crosby Excavating and the City of Fort Wayne for North Drive-Reed Road Storm Sewer in the amount of $346,223.00;
John Suarez moved approval of Contract #665-02 between Crosby Excavating and the City of Fort Wayne for North Drive-Reed Road Storm Sewer in the amount of $346,223.00. Motion carried. Contract to be sent to City Council.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT

JULY 3, 2002

1. Approval of Board of Stormwater Management Minutes of June 26, 2002;

2. **AWARD:** Improvement Resolution #647-02, Hickory Grove/Waycross Drive to Land, Inc. in the amount of $105,160.00. Contract Compliance concurs with this award;

3. Approval of Contract #665-02 between Crosby Excavating and the City of Fort Wayne for North Drive-Reed Road Storm Sewer in the amount of $346,223.00;

4. Old Business:

5. New Business:

BOARD OF PUBLIC WORKS AGENDA
JULY 3, 2002

1. **RECEIVE PROPOSALS:** ITRON Mobile Automatic Reading System:

2. **RECEIVE BIDS:** Improvement Resolution #6886-02, Coldwater Road & Washington Center Road;

3. **RECEIVE BIDS:** Improvement Resolution #6892-02, Liberty Development;

4. Administrative Hearing for Resolution of the Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A Aquasource North Sewer and Water System;

5. Approval of Board of Public Works Minutes of June 26, 2002 and Public Hearing Minutes for Improvement Resolution #1516-02, Constitution Drive;

6. **AWARD:** Improvement Resolution #1109-02, Plaza & Colonial Water Main Replacement to Dafforn Excavating in the amount of $127,305.25. Contract Compliance concurs with this award;

7. **AWARD:** Improvement Resolution #6893-02, Ardmore Avenue from Lower Huntington Road to Covington Road to Brooks Const. Co., Inc. in the amount of $323,110.30. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

8. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6840-02, Chestnut Street decreasing the contract price by $141.80. The original contract price was $25,580.00. The new contract price including this change order is $25,438.20;

9. Approval of Change Order #1 (FINAL) received from Newell Construction Co., Inc. for Improvement Resolution #6890-02, Chestnut Street, Phase II decreasing the contract price by $5.94. The original contract price was $36,665.00. The new contract price including this change order is $36,659.06;

10. Approval of Change Order #1 (FINAL) received from Hipskind Concrete Corp. for Improvement Resolution #6851-02, Main Street, decreasing the contract amount by $24.30. The original contract price was $34,436.00. The new contract price including this change order is $34,411.70;

11. Approval of Change Order #1 received from All Star Construction & Excavating for Improvement Resolution #6736-01, Clinton Street - Coldwater to Coliseum increasing the contract price by $54,925.28. The original contract price was $776,888.50. The new contract price including this change order is $831,813.78;

12. Approval of Change Order #3 received from R. E. Crosby for New Fire Stations 12, 16, and 17 increasing the contract amount by $8,536.00. The original contract price was $3,779,550.00. The new contract price including this change order is $3,770,932.50;

13. Approval of Change Order #1, 2, 3, and 4 received from Louis Lee Lengacher for FWPD Operations Center totaling $3,949.00. The new contract price including these change orders is $152,054.00;

14. **IMPROVEMENT RESOLUTION #650-01,** Forest Park Combination Sewer Rehabilitation;

15. **IMPROVEMENT RESOLUTION #1098-02,** Shoaff Park Feeder Main;

16. **RESOLUTION** of the Board of Public Works to Establish Area Connection Fees for the Neuhaus Interceptor Extension Within a Portion of the Spy Run Service Area;

17. Approval of Amended Sewer Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

18. Approval of Amended Sewer Contract #2002-S-11 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone. (PRIVATELY FUNDED);

19. Approval of Sewer Contract #2002-S-22 between William & Donna Richardson and the Fort Wayne Water Pollution Control utility to construct a local sanitary sewer system to serve Kinnerk Road Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

20. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Primary Clarifiers & 85 MGD Upgrades. The fee amount for this Agreement is $1,699,919. Planning & Design Services recommend approval;

21. Approval of Professional Services Agreement between the City of Fort Wayne and GRW Engineers for Evaluation Report for Griswold Drive, Morton Street and Third Street Lift Stations. The not-to-exceed fee is $20,900.00. Planning & Design Services recommend approval;

22. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for High Service Pump Improvements – Preliminary Design. Compensation for services performed will be a lump sum fee of $36,000.00. Planning & Design Services recommend approval;

23. Approval of Professional Service Agreement between the City of Fort Wayne and HNTB Corporation for Reservoir-Pumping-Electrical Site Master Plan. Compensation for services performed will be a lump sum fee of $98,700.00. Planning & Design Services recommend approval;

24. Approval of Professional Service Agreement Amendment between the City of Fort Wayne and SES Environmental for Corrective Action Water Pollution Control Plant – Petroleum Fuel Contamination. The total Amendment I amount is $89,103.21 and the revised not-to-exceed amount shall be $237,103.21;

25. Approval of Change Order #1 received from Maddox Industrial Contractors for Improvement Resolution #1102-01, Filter 15 Rehabilitation increasing the contract price by $25,411.00. The original contract price was $184,900.00. The new contract price including this change order is $210,311.00;

26. Approval of General Accounting Claims in the amount of $; 16,097,696.35 ;

27. Approval of write-off of delinquent revenue accounts received from City Utilities Accounting for April 2002 in the amount of $18,566.40;

28. Approval of write-off of delinquent miscellaneous billings received from City Utilities Accounting;

29. Old Business:

30. New Business:

AWARD: Improvement Resolution #6888-02, Miscellaneous Concrete Package 2-B-02 to Newell Construction Co., in the amount of $164,721.00. Contract Compliance concurs with this award;

Approval of Construction Contract #279-02 between Lights & Signals for Hacienda Village Street Light Improvement in the amount of $59,947.75;

BOARD OF STORMWATER MANAGEMENT

JULY 10, 2002

1. Administrative Hearing Continued from June 26, 2002 – Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction on the Constitution Drive Stormwater System Improvement Project;

2. Approval of Board of Stormwater Management Minutes of July 3, 2002;

3. Old Business:

4. New Business:

BOARD OF PUBLIC WORKS AGENDA

JULY 10, 2002

1. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A AquaSource North Sewer & Water System;

2. Approval of Board of Public Works Minutes of July 3, 2002;

3. **AWARD:** Improvement Resolution #6892-02, Liberty Development to Hipskind Concrete Corp. in the amount of $120,542.00. Contract Compliance concurs with this award;

4. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Casselwood Terrace Civic Association whereas the Board of Public Works agrees to allocate $930.00 from 6th District CEDIT Funds for the removal of pillars at the entrance of Casselwood Terrace Addition;

5. **IMPROVEMENT RESOLUTION #6898-02,** The Landing Improvements;

6. Approval of Change Order #1 received from All Star Const. & Excavating for Improvement Resolution #6736-02, Clinton Street – Coldwater to Coliseum increasing the contract price by $54,925.28. The original contract price was $776,888.50. The new contract price including this change order is $831,813.78;

7. Approval of Escrow Agreement between the City of Fort Wayne and API Construction Corp. for Improvement Resolution #6819-01, Lahmeyer Rd. & Stellhorn Rd. Intersection. The escrow agent is Farmers and Merchants Bank;

8. **RESOLUTION** for the Consent for Property to be Served by the Allen County Regional Water & Sewer District to serve one property on O'Day Road with sewer through the Arcola Service Area;

9. **RESOLUTION** of the Board of Public Works to Establish Area Connection Fees for the Neuhaus Interceptor Extension within a Portion of the Spy Run Service Area;

10. Approval of Amended Sewer Contract #2002-S-11 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

11. Approval of Amended Sewer Contract #2002-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I and the Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

12. Approval of Amended Sewer Contract #2002-S-14 between Millennium Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Mallard's Lake Lots 83-87, 106 & 108-132. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

13. Approval of Sewer Contract #2002-S-21 between Cherry Tree, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Butler Ridge Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

14. Approval of FINAL Change Order received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement decreasing the contract amount by

$13,505.47. The original contract price was $156,384.08. The new contract price including this change order is $187,618.61;

15. Approval of recommendation received from Engineering Support Services to accept the work performed on Improvement Resolution #1090-01, Bradbury Water Main Replacement as an integral part of the City's water distribution system;

16. Approval of Release of Escrow received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement in the amount of $18,761.86. The Escrow Agent is Grabill Bank;

17. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Primary Clarifiers & 85 MGD Upgrades. The fee amount for this contract is $1,699,919.00. Planning & Design Services recommend approval;

18. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Existing Chlorination System Review Study. The contract amount for this work is not-to-exceed $19,650.00. Planning & Design Services recommend approval;

19. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for CSO Pond #1 Dredging at the Water Pollution Control Plant. The contract amount for this works is not-to-exceed $37,500.00. Planning & Design Services recommend approval;

20. Approval of Amendment to Professional Services Agreement with Greeley-Hansen LLC for the Inwood Drive Combination Sewer Rehabilitation Project. The not-to-exceed fee is $35,500.00. Planning & Design Services recommend approval;

21. Approval of Amendment for Professional Services Agreement with Greeley-Hansen LLC for the design of the Taylor Street Combination Sewer Rehabilitation Project. The not-to-exceed fee is $45,300.00. Planning & Design Services recommend approval;

22. Amendment No. 1 to Agreement between the City of Fort Wayne and Earth Tech for certain professional engineering services related to the Model Update and Calibration – Northwest Pressure Zone. The amendment is for an additional $5,000.00 and increased the not-to-exceed amount for this contract to $26,000.00. Planning & Design Services recommend approval;

23. Professional Services Agreement between the City of Fort Wayne and Bonar Group for Northwest Feeder Main Route Study. The not-to-exceed amount for this contract is $18,000.00. Planning & Design Services recommend approval;

24. Approval of recommendation received from Engineering Support Services to accept the work performed by Lentz Enterprises on Sewer Contract #2001-S-56, Fort Wayne Area Association of Realtors as an integral part of the City's sanitary sewer system;

25. Approval of General Accounting Claims in the amount of $~~24~~4,636,896.57;

26. Approval of Barrett Law Claims in the amount of $67,399.23;

27. Old Business:

28. New Business:

JULY 10, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

#4

Present: All Members & Clerk, David Ross, City Engineer; Charles Bailey, Contract Compliance; John Perlich, PIO; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jim Riemke, Street Light Engineering; Mark Gensic, Judy Cleland, & Mike Hicks, Planning & Design; Jim Howard, City Law Department; George Cooke, Traffic/Street Light Engineering; Kevin Holle, GIS; Jack Suter & Mary Jane Slaton, Development Services.

1. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana Appropriating and Condemning Personal Property for Use by the City of Fort Wayne, Indiana for the Acquisition of the Utility Center, Inc. D/B/A AquaSource North Sewer & Water System;

   Jim Howard, Asst. City Attorney addressed the Board and his comments are tendered into the minutes as per the attached. Jim Howard then recommended that Resolution #89-183-6 be confirmed and reaffirmed in its entirety.

   Ted Rhinehart apprised the Board of the following; before the Board is a Resolution that the City Legal Department has drafted which essentially would, if the Board approves, confirm and reaffirm the previous action to condemn and appropriate the North System assets and define that there is a public benefit in doing that. Last week, Mark Gensic, Planning & Design, and Greg Meszaros, Chief of Engineering addressed the Board and gave several reasons why it is of public benefit to do this, and some of the efficiencies, improvements, and a liability that can be gained. The City did not hear anything that detracts from that or contradicts any of those benefits. It is still of benefit to the customers and to the community that the City proceed with this.

   The City is certainly willing to sit down and negotiate a settlement at any time and that the doors are always open and the City is willing to work through whatever other information we might have missed.

   The urgency to this situation is certainly the fact that AquaSource's parent corporation, DQE out of Pittsburgh, PA. has made it very public that their whole company is up for sale, and we know that they have had interested buyers here in Allen County looking over the facilities. Mr. Rhinehart said that since the City has been pursuing this for several years, and we have put a formal offer on the table, we have tried to use all information available to us to make that a fair and reasonable offer. We have tried every opportunity to negotiate, and yet we know that the company has announced nationally that all of their interests from California, to Kentucky, to Texas may be sold and there are interested buyers here. If there is public benefit, benefit to the customers, lower rates, and better liability in doing this, if we don't proceed in their best interests it is likely that history would repeat itself as in 1999 when the City was shot out of that process as well.

   Mr. Rhinehart said that there is every opportunity for maximum public input in this. The City has published it as much as possible. The City has had regular updates to Council and the media as to what is going on.

   Mr. Rhinehart stated that it was incorrect to say that this does not go to City Council or to the Utility Regulatory Commission for approval. Absolutely, the next step after the Board's action is to go to the City Council for approval and then obviously before the final financial transaction could be made, then whatever the final price that is agreed upon, the bonds would have to go to City Council. That will provide additional opportunity for public input and comment.

In addition, the IURC must also approve any bonds necessary to purchase the assets.

Ted Rhinehart then explained that the due diligence or other alternate evaluation report on the North System will be presented to the Board no later than September 9, 2002.

Denise Porter-Ross said that she had not heard any comments from the public.

Mark Gensic said that he had received about six inquiries mostly regarding rates and water quality.

Ted Rhinehart said that the purchase would ensure that the customers would get equal or better service and that the City would begin construction projects to upgrade certain facilities and to switch them over. The City would complete a master plan to show how soon everything would happen, but there would not be any disruption or interruption in service.
Denise Porter-Ross moved to confirm and reaffirm RESOLUTION #89-183-06 in its entirety which confirms RESOLUTION #89-211-1. Motion carried. Copy to be herein incorporated. City attorneys to prepare the due diligence request to collect additional information and AquaSource to be sent certified letter of the Resolution.

2. Approval of Board of Public Works Minutes of July 3, 2002;
John Suarez moved approval of Board of Public Works Minutes of July 3, 2002. Motion carried. Minutes approved.

3. **AWARD:** Improvement Resolution #6892-02, Liberty Development to Hipskind Concrete Corp. in the amount of $120,542.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of Improvement Resolution #6892-02, Liberty Development to Hipskind Concrete Corp. in the amount of $120,542.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Casselwood Terrace Civic Association whereas the Board of Public Works agrees to allocate $930.00 from 6th District CEDIT Funds for the removal of pillars at the entrance of Casselwood Terrace Addition;
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Casselwood Terrace Civic Association whereas the Board of Public Works agrees to allocate $930.00 from 6th District CEDIT Funds for the removal of pillars at the entrance of Casselwood Terrace Addition. Motion carried. Pillars to be removed.

5. **IMPROVEMENT RESOLUTION #6898-02,** The Landing Improvements;

David Ross, City Engineer said that this Resolution is for the improvement of Columbia Street from Harrison Street to Calhoun St. and Harrison St. from Pearl St. to Dock St. by sidewalks, brick paver, and tree grate construction/rehabilitation; curb ramp construction; street lighting upgrade; landscaping and other related roadway work. This project is funded by C&ED.
John Suarez moved approval of Improvement Resolution #6898-02. Motion carried. Copy to be herein incorporated. Bids to be received on 7/31/02.

6. Approval of Change Order #1 received from All Star Const. & Excavating for Improvement Resolution #6736-02, Clinton Street – Coldwater to Coliseum increasing the contract price by $54,925.28. The original contract price was $776,888.50. The new contract price including this change order is $831,813.78;

David Ross, City Engineer stated that utility locates were necessary due to conflicts with proposed storm sewers and water main in many locations. It was necessary to exploratory dig Verizon duct line in order to locate depths to construct proposed storm sewers. Construction of new water line was discontinued due to gas main conflicts and proposed relocations. Construction staking could not proceed as intended due to inadequate survey control points. Eighty calendar days were requested by the Contractor for delays in the work. Mr. Ross stated that he and Mr. Rhinehart had discussed this with the contractor and suggested that the change order be amended to say 60 days instead of 80 for the completion date.

Denise Porter-Ross moved approval of Change Order #1 as amended received from All Star Const. & Excavating for Improvement Resolution #6736-02, Clinton Street – Coldwater to Coliseum increasing the contract price by $54,925.28. Motion carried. Contractor price to be increased and completion date to be increased by 60 days.

7. Approval of Escrow Agreement between the City of Fort Wayne and API Construction Corp. for Improvement Resolution #6819-01, Lahmeyer Rd. & Stellhorn Rd. Intersection. The escrow agent is Farmers and Merchants Bank;
Denise Porter-Ross moved approval Escrow Agreement between the City of Fort Wayne and API Construction Corp. for Improvement Resolution #6819-01, Lahmeyer Rd. & Stellhorn Rd. Intersection. Motion carried. Escrow Agreement to be sent to the escrow agent.

8. **RESOLUTION** for the Consent for Property to be Served by the Allen County Regional Water & Sewer District to serve one property on O'Day Road with sewer through the Arcola Service Area;

   Mary Jane Slaton, Development Services said that this Resolution does not alter their service area, but it gives consent for them to serve this additional property outside their service area.
   Denise Porter-Ross moved approval of the RESOLUTION for the Consent for Property to be served by the Allen County Regional Water & Sewer District to serve one property on O'Day Road with sewer through the Arcola Service Area. Motion carried. Copy to be herein incorporated.

9. **RESOLUTION** of the Board of Public Works to Establish Area Connection Fees for the Neuhaus Interceptor Extension within a Portion of the Spy Run Service Area;

   Jack Suter, Development Services, said that this Resolution will establish new area connection fees for a specific area along Bass Road east if I-69. The fees will include the Spy Run area fees and be used to defray the expense of constructing the Neuhaus Interceptor Extension.
   Denise Porter-Ross moved approval of the RESOLUTION of the Board of Public Works to Establish Area Connection Fees for the Neuhaus Interceptor Extension within a Portion of the Spy Run Service Area. Motion carried. Copy to be herein incorporated.

10. Approval of Amended Sewer Contract #2002-S-11 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Jack Suter, Development Services stated that this project is in the area that is affected by Agenda Item #9. The fee can now be attached to the Sewer Contract #2002-S-11.
    John Suarez moved approval of Amended Sewer Contract #2002-S-11 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section II. Motion carried. Sanitary sewer system to be constructed.

11. Approval of Amended Sewer Contract #2002-S-14 between Millennium Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Mallard's Lake Lots 83-87, 106 & 108-132. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Jack Suter, Development Services said that this amendment adds 31 additional lots for sewage and would include approximately 1900 l.f. of new sewer lines. It is near Union Chapel and Puff in Cedar Township.
    Denise Porter-Ross moved approval of Amended Sewer Contract #2002-S-14 between Millennium Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Mallard's Lake Lots 83-87, 106 & 108-132. Motion carried. Sanitary sewer system to be constructed.

12. Approval of Sewer Contract #2002-S-21 between Cherry Tree, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Butler Ridge Sanitary. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services stated that this is near the Butler Road and Hillegas Road Intersection on the south side of Butler Road. This development will be a small industrial park and involves an extension of 615 l.f. of new sewer line.
John Suarez moved approval of Sewer Contract #2002-S-21 between Cherry Tree, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Butler Ridge Sanitary. Motion carried. Sanitary sewer system to be constructed.

13. Approval of FINAL Change Order received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement decreasing the contract amount by $13,505.47. The original contract price was $156,384.08. The new contract price including this change order is $187,618.61;

Ron Sheppard, Engineering Support Services said that individual curb boxes were not relocated which resulted in this deduct.
Denise Porter-Ross moved approval of FINAL Change Order received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement decreasing the contract amount by $13,505.47. Motion carried. Contract amount to be decreased.

14. Approval of recommendation received from Engineering Support Services to accept the work performed on Improvement Resolution #1090-01, Bradbury Water Main Replacement as an integral part of the City's water distribution system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed on Improvement Resolution #1090-01, Bradbury Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

15. Approval of Release of Escrow received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement in the amount of $18,761.86. The Escrow Agent is Grabill Bank;
Denise Porter-Ross moved approval of Release of Escrow received from Dafforn Excavating, Inc. for Improvement Resolution #1090-01, Bradbury Water Main Replacement in the amount of $18,761.86. Motion carried.

16. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Primary Clarifiers & 85 MGD Upgrades. The fee amount for this contract is $1,699,919.00. Planning & Design Services recommend approval;

To be held.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Existing Chlorination System Review Study. The contract amount for this work is not-to-exceed $19,650.00. Planning & Design Services recommend approval;

Judy Cleland, Planning & Design apprised the Board of the following: the WPC Plant currently operates a chlorination system that stores liquid chlorine in two 55-ton tanks. The facilities have been in operation for over 20 years and are in need of a physical and mechanical review to determine the needs of the system for either repair or replacement of components which may have degraded over the years of operation. The review should further determine if abandoned equipment and piping should be removed. THE WPCP is interested in a study of some equipment in the system, which is no longer in use and which may need to be removed or isolated in place.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Existing Chlorination System Review Study. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for CSO Pond #1 Dredging at the Water Pollution Control Plant. The contract amount for this works is not-to-exceed $37,500.00. Planning & Design Services recommend approval;

    Judy Cleland, Planning & Design apprised the Board of the following; CSO Pond #1 requires the removal of the solids that have deposited over past use for storage of CSO discharges. The project is the removal of solids by floating barge equipment and disposal of solids on City property adjacent to the pond in a temporary containment structure for later removal by others.
    Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for CSO Pond #1 Dredging at the Water Pollution Control Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Amendment to Professional Services Agreement with Greeley-Hansen LLC for the Inwood Drive Combination Sewer Rehabilitation Project. The not-to-exceed fee is $35,500.00. Planning & Design Services recommend approval;

    Mike Hicks, Planning & Design stated that the original contract with Greeley-Hansen LLC, was for an Engineering Report to be completed and method of rehab to be recommended. The report has been completed and method of rehab chosen. This amendment will allow the design to begin.
    John Suarez moved approval of Amendment to Professional Services Agreement with Greeley-Hansen LLC for the Inwood Drive Combination Sewer Rehabilitation Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Amendment for Professional Services Agreement with Greeley-Hansen LLC for the design of the Taylor Street Combination Sewer Rehabilitation Project. The not-to-exceed fee is $45,300.00. Planning & Design Services recommend approval;

    Mike Hicks, Planning & Design stated that the original contract with Greeley-Hansen LLC., was for an Engineering Report to be completed and method of rehab to be recommended. The report has been completed and method of rehab chosen. This amendment will allow the design to begin.
    John Suarez moved approval of the Amendment for Professional Services Agreement with Greeley-Hansen LLC for the design of the Taylor Street Combination Sewer Rehabilitation Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. Amendment No. 1 to Agreement between the City of Fort Wayne and Earth Tech for certain professional engineering services related to the Model Update and Calibration – Northwest Pressure Zone. The amendment is for an additional $5,000.00 and increased the not-to-exceed amount for this contract to $26,000.00. Planning & Design Services recommend approval;

    Matthew Wirtz, Planning & Design said that the original scope included only 1 modeling workshop. By increasing the scope of work, the project would include an additional modeling workshop as well as provide for additional hydraulic modeling services to be obtained as needed.
    Denise Porter-Ross moved approval for Amendment No. 1 to Agreement between the City of Fort Wayne and Earth Tech for certain professional engineering services related to the Model Update and Calibration—Northwest Pressure Zone. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Professional Services Agreement between the City of Fort Wayne and Bonar Group for Northwest Feeder Main Route Study. The not-to-exceed amount for this contract is $18,000.00. Planning & Design Services recommend approval;

    Matthew Wirtz, Planning & Design apprised the Board of the following: the project includes evaluation of alternate routes to construct future phases of a proposed feeder main from the Three Rivers Filtration Plant to the Northwest Pump Station located off Lima Road south of Cook Road.

The size of the main required, and any need for high service pumps located at the Filtration Plant will be determined from modeling be performed by the City as part of the current Water Master Plan update.
John Suarez moved approval for the Professional Services Agreement between the City of Fort Wayne and Bonar Group for Northwest Feeder Main Route Study. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of recommendation received from Engineering Support Services to accept the work performed by Lentz Enterprises on Sewer Contract #2001-S-56, Fort Wayne Area Association of Realtors as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Lentz Enterprises on Sewer Contract #2001-S-56, Fort Wayne Area Association of Realtors as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

24. Approval of General Accounting Claims in the amount of $24,636,896.57;
John Suarez moved approval of General Accounting Claims in the amount of $24,636,896.57. Motion carried. Claims to be sent to the Department of Finance.

25. Approval of Barrett Law Claims in the amount of $67,399.23;
Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $67,399.23. Motion carried.

26. Old Business:

None.

27. New Business:

Emergency Resolution for Cement Concrete Repair at 5500 Block North Clinton;

David Ross, City Engineer said that this was for an Emergency Blow-up. The following contractors were invited to bid on emergency repair.

Benchmark Const.
Brooks Const.
Hipskind Concrete
G. E. Minear
Newell Const.

Mr. Ross said that Benchmark was the only contractor to respond with a bid of $11,864.00.
John Suarez moved approval of Emergency Resolution for Cement Concrete Repair at 5500 Block North Clinton. Motion carried. Copy to be herein incorporated. Purchasing to issue Emergency Purchase Order.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

LAW DEPARTMENT
CITY OF FORT WAYNE

Memo

To: Board Members, Board of Public Works

From: J. Howard, Associate City Attorney, C. York, Esq., R. Seger, Esq.

CC: C. York, R. Seger

Date: 7/8/2002

Re: **Memo to Board of Public Works re: Resolution No. 89-183-6**

The Board of Public Works should confirm and reaffirm Resolution No. 89-183-6 in its entirety. The comments by William Etzler, representing AquaSource, at the public hearing on July 3, 2002 do not change the determination that the acquisition of AquaSource's North Water and Sewer System ("North System") is beneficial and of public utility benefit.

Mr. Etzler's comments focused on four (4) points.

1. The first point related to historical negotiations regarding the City's purchase of the North System, and the degree to which AquaSource has been willing to negotiate with the City. The numerous attempts to encourage AquaSource to seriously discuss the City's purchase of its North System have resulted in either direct refusals to negotiate (i.e. during the rate proceeding) or requests or actions by AquaSource that would substantially delay any serious negotiations of a final purchase without any indication or assurance that AquaSource would be any more cooperative after the delay. In fact, at the June 3, 2002 meeting mentioned in Mr. Etzler's comments at the July 3, 2002 hearing, Mr. Etzler indicated that Utility Center had been unwilling to consider the sale of the North System while DQE was deciding a corporate policy regarding the disposal of all of its sewer and water properties. The City has made numerous inquiries regarding the expectations of AquaSource regarding a purchase price, and has yet to receive either permission to conduct the proper investigation necessary to determine the fair value of the North System or any direct indication from AquaSource of the value AquaSource places on its North System.

2. AquaSource's second point addressed whether the City can and should proceed to condemn the North System using the process described in I.C. 32-11-1.5. The basic concepts in I.C. 8-1.5-2, the section of the Indiana Code cited by Mr. Etzler, indicate that the election discussed in I.C. 8-1.5-2-16 is not required for the City's condemnation of the North System. This portion of the Indiana Code addresses the concept of the "establishment" of a municipally owned utility. The sections preceding Section 15 (which discusses condemnation) discuss the process that a municipality would go through in establishing a municipal utility, particularly when there is a public utility engaged in similar service within the municipality. Because Fort Wayne already has municipal water and sewer utilities, the public policy concerns, which might justify requiring a vote, regarding the establishment of a municipal utility are not present in the condemnation of the North System. The indication by Mr. Etzler that the general public and the City Council are omitted from this condemnation process is also untrue. The public is given a right to participate, as Mr. Etzler did, at the public hearing that was held after public notice (and

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a separate article in the Journal Gazette). The financing for the purchase of the North System, whether through condemnation or negotiated purchase, will require action by the City Council. Pursuant to I.C. 32-11-1.5-11, the City Council must authorize the expenditure of more than $2,000 for a damage award. Mr. Etzler's indication that the City is avoiding Indiana Utility Regulatory Commission ("IURC") oversight by pursuing condemnation through Title 32 rather than Title 8 is also false. The amount and degree of IURC oversight of a condemnation proceeding would be exactly the same under Title 32 as it would be under Title 8 (if the procedure in Title 8 applied to this condemnation, which it does not).

3. AquaSource's third issue regarding the improvement of service quality and rates to AquaSource's North System customers once they become customers of the City is irrelevant. The City is not required to find that AquaSource inadequately provides existing service. In fact, the City is not required to establish that service quality or rates will improve for North System customers. The City only needs to determine that the acquisition of the North System by the City is beneficial and of public utility benefit. The condemnation of the North System will eliminate redundant facilities and avoid future duplication of facilities. The acquisition will benefit City residents through the more efficient and effective long-run provision of service to North System customers. As discussed by Mark Gensic on the record at the hearing, the acquisition of the North System is part of an overall 20-year master plan. Therefore, it is important for the City to acquire the North System now, before AquaSource spends millions of additional dollars to install additional facilities that would become redundant if the City acquired the North System at some future date.

4. Finally, AquaSource's fourth point is that they are willing to discuss "issues related to the North System." While it is unclear precisely what this statement is referring to, AquaSource mentions a proposal to exchange assets with the City. To the extent that AquaSource is willing to negotiate a purchase price or make an alternative proposal on a timely basis, the City is willing to work with AquaSource outside the condemnation process to ensure that it gets fair value for the North System. The City anticipates that the due diligence process will take approximately 60 days, and the City is prepared to negotiate with AquaSource to determine a mutually agreeable purchase price during that time.

RECOMMENDATION: The Board of Public Works should confirm and reaffirm Resolution No. 89-183-6 in its entirety, and to the extent that AquaSource shows sincerely interest in arriving at a negotiated purchase price for the North System, those discussions can take place simultaneously with the due diligence review to be conducted over the next 60 days.

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STORMWATER MANAGEMENT

JULY 10, 3002

BOARD OF ~~PUBLIC WORKS~~
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:55A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

Present: All Members & Clerk, David Ross, City Engineer; Charles Bailey, Contract Compliance; John Perlich, PIO; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jim Riemke, Street Light Engineering; Mark Gensic, Judy Cleland, & Mike Hicks, Planning & Design; Jim Howard, City Law Department; George Cooke, Traffic/Street Light Engineering; Kevin Holle, GIS; Jack Suter & Mary Jane Slaton, Development Services; George Sistevaris, Esq., Haller & Colvin P.C.

1. Administrative Hearing Continued from June 26, 2002 – Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction on the Constitution Drive Stormwater System Improvement Project;

   Ted Rhinehart reopened the Public Hearing for Resolution #1516-02.

   Jim Howard asked we continue this hearing until next week, July 17, 2002, since the parties involved are very close to an agreement to some changes that need to be made to the resolution that is before the Board. We will be recommending that the Board modify the Resolution on a couple points.
   Denise Porter-Ross moved to continue the Administrative Hearing for Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction on the Constitution Drive Stormwater System Improvement Project to July 17, 2002. Motion carried. Hearing continued to July 17, 2002.

2. Approval of Board of Stormwater Management Minutes of July 3, 2002;
   John Suarez moved approval of Stormwater Management Minute of July 3, 2002. Motion carried.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

JULY 17, 2002

1. **RECEIVE BIDS:** Improvement Resolution #678-02, General CIPP 2002;
2. **RECEIVE BIDS:** Improvement Resolution #1103-02, Water Main Connections – Contract 2;
3. **RECEIVE BIDS:** Improvement Resolution #1501-02, Covington Road North Sanitary;
4. **RECEIVE BIDS:** Improvement Resolution #6894-02, Public Sidewalk Curb Ramp 2002 Intersections Phase I;
5. **RECEIVE BIDS:** Improvement Resolution #6896-02, Indiana Avenue & Rudisill Blvd. Intersection;
6. Approval of Board of Public Works Minutes of July 10, 2002;
7. Approval of Hold Harmless Agreement between Boris Minic and the City of Fort Wayne for operation of a sidewalk café called Café Leonard at 816 S. Calhoun;
8. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Village Woods Neighborhood Association whereas the Board of Public Works agrees to allocate $3,465.00 from 6th District CEDIT Funds to install floodlights at the entrances of Hessen Cassel;
9. Approval of Change Order #5 received from Louis Lee Lengacher for Fort Wayne Police Department Operations Center – Lobby Renovation decreasing the contract amount by $10,000.00. The original contract price was $149,330.00. The new contract price including this change order is $142,054.00;
10. Approval of purchase from Jag Promotion for City Uniforms in connection with the summer dress code;
11. Approval of Agreement between the City of Fort Wayne and Mid-Sates Engineering to provide professional services for the design engineering of improvements to Lake Ave: Anthony Blvd. to Stanley Avenue. Proposed improvements include: cement concrete pavement removal and reconstruction of minor widening in specific locations; pavement markings. Compensation for services performed shall be a fee not-to-exceed $49,700.00. City Engineering recommends approval;
12. Approval of Agreement between the City of Fort Wayne and DLZ-Indiana, LLC to provide professional services for the design engineering of improvements to Congressional Parkway. Proposed improvements include cement concrete pavement widening; side ditch drainage and driveway culvert pipe rehabilitation; Goshen Rd. intersection access and driveway approach geometric upgrade, right-of-way clearing; commercial sign relocation; pavement markings. Compensation for services performed shall be a fee not-to-exceed $38,600.00. City Engineering recommends approval;
13. Approval of Change Order #1 and FINAL for Improvement Resolution #6830-02 received from Bunn Excavating for Jefferson Blvd. West & Freeman Street increasing the contract price by $25,690.71. The original contract price was $105,248.25. The new contract price including this change order is $130,938.96;

14. Approval of Construction Contract for Improvement Resolution #6885-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 8-2002 in the amount of $138,140.00;

15. Approval of Construction Contract for Improvement Resolution #6891-02 between Key Concrete and the City of Fort Wayne for Northside/Larez Neighborhood in the amount of $76,058.00;

16. Approval of Construction Contract for Improvement Resolution #6893-02 between Brooks Construction Co. and the City of Fort Wayne for Ardmore Avenue: Lower Huntington Road to Covington Road in the amount of $323,110.30;

17. Approval of recommendation received from Transportation Engineering Support Services to accept the work performed on the following contracts;

McKinnie Circle – Res. #6781-01, Bunn, Inc.

Corwin Lane – Res. #6755-01, Hipskind Concrete

Reserve Line Rd. – Res. #6802-01, Wayne Asphalt

Belle Ave. – Res. #6821-01, E & B Paving

18. Approval of Professional Engineering Services Agreement between American Consulting, Inc. and the City of Fort Wayne for Evaluation of AquaSource's Northern Area Water and Sewer Systems. The not-to-exceed amount for this contract is $78,900.00. Planning & Design Services recommend approval;

19. Approval of Engineering Services Agreement between Donohue & Associates and the City of Fort Wayne for Primary Clarifiers & 85 MGD Upgrades. The Professional Services fee amount total is $1,699,919.00. Planning & Design Services recommend approval;

20. Approval of Change Order #1 and FINAL received from All Star Construction for Improvement Resolution #1086-01, Northwest Feeder Main increasing the contract amount by $6,458.78. The original contract amount was $750,596.37. The new contract amount including this change order is $757,055.15;

21. Approval of Construction Contract #1109-02 between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement in the amount of $127,305.25;

22. Approval of Escrow Agreement for Construction Contract #1109-02 between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement. Grabill Bank is the Escrow Agent;

23. Approval of Sewer Contract #2002-S-26 between Chestnut Group, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lakes of Brook's Crossing Section III Phase I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

24. Approval of Amended Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

25. Approval of Water Contract #2002-W-10 between Quality Crafted Homes, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Forest Creek at Chandler's Section I. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

26. Approval of General Accounting Claims in the amount of $ 7 076 618.92 ;

27. Approval of Barrett Law Claims in the amount of $ 102 346.19 ;

28. Old Business:

29. New Business:

AWARD: Improvement Resolution #6886-02, Coldwater Road & Washington Center Road to Brooks Const. Co. in the amount of $530,369.51. **PRIOR APPROVAL REQUESTED;**

Approval of Construction Contract #6844-02, Baylor Drive between Primco Inc. and the City of Fort Wayne, Indiana in the amount of $136,653.25;

RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of a Form of Bond Ordinance, Recommending its Adoption to the Common Council of the City and Other Related Matters;

IMPROVEMENT RESOLUTION #1522-02, Water Main Interconnections – Contract #1;

Approval of Change Orders #4 & #5 received from R. E. Crosby for the New Transportation Facility. Change Order #4 is for $285,455.00 to add a Salt Dome & Conveyer System, and Change Order #5 is $41,986.00 for providing landscaping, paving, and miscellaneous support for the Salt Dome Structure;

BOARD OF STORMWATER MANAGEMENT

JULY 17, 2002

1. Administrative Hearing continued from July 10,2002 for Improvement Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction of the Constitution Drive Stormwater System Improvement Project;

2. Approval of Board of Stormwater Management Minutes of July 10, 2002;

3. Approval of Escrow Agreement between the City of Fort Wayne and Crosby Excavating for Improvement 665-02, North Drive-Reed Road Storm Drainage. Bank One is the Escrow Agent;

4. Old Business:

5. New Business:

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

PRESENT: All Members & Clerk; Jim Howard, City Law Department; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Mike Fruchey, Transportation Engineering Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic, Planning & Design; Jerry Schoenle, Water Maintenance; George Sistevaris, Esq., Haller & Colvin P.C.

The Board Members congratulated employees who had just achieved the 5-Star Award status.

1. **RECEIVE BIDS:** Improvement Resolution #678-02, General CIPP 2002:

Environmental Pipeliners	$1,734,825.40
Insituform	$1,063,901.00
Pipeliner Renewal	$1,335,017.00
Reynolds Inc.	$1,139,021.50
Engineer's Estimate	$1,282,000.00

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1103-02, Water Main Interconnections Contract 2:

Bercot, Inc.	$84,333.00
Dafforn Excavating	$78,154.23
Engineer's Estimate	$75,000.00

Engineering Support Services to tabulate and report.

3. **RECEIVE BIDS:** Improvement Resolution #1501-02, Covington Road North Sanitary Sewer:

Bercot, Inc.	$79,121.00
Crosby Excavating	$58,439.40

Dafforn Excavating $70,977.51

Fleming Excavating $77,817.13

Land Inc. $60,745.00

Engineer's Estimate $89,000.00

Engineering Support Services to tabulate and report.

4. **RECEIVE BIDS:** Improvement Resolution #6894-02, Public Sidewalk Curb Ramp 2002 Intersections Phase I:

Hipskind $137,901.50

Key Concrete, Inc. $133,625.00

Engineer's Estimate $131,968.00

Transportation Engineering Services to tabulate and report.

5. **RECEIVE BIDS:** Improvement Resolution #6896-02, Indiana Avenue and Rudisill Boulevard:

Lights and Signals, Inc. $56,783.91

Michiana Contracting $57,079.48

Engineer's Estimate $64,964.95

Transportation Engineering Services to tabulate and report

6. Approval of Board of Public Works Minutes of July 10, 2002;

John Suarez moved approval of Board of Public Works Minutes of July 10, 2002. Motion carried. Minutes approved.

7. Approval of Hold Harmless Agreement between Boris Minic and the City of Fort Wayne for operation of a sidewalk café called Café Leonard at 816 S. Calhoun;

Denise Porter-Ross moved approval of Hold Harmless Agreement between Boris Minic and the City of Fort Wayne for operation of a sidewalk café called Café Leonard at 816 S. Calhoun. Motion carried. Copy to be placed on file in the Board of Works.

8. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Village Woods Neighborhood Association whereas the Board of Public Works agrees to allocate $3,465.00 from 6th District CEDIT Funds to install floodlights at the entrances of Hessen Cassel;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Village Woods Neighborhood Association whereas the Board of Public Works agrees to allocate

$3,465.00 from 6th District CEDIT Funds to install floodlights at the entrances of Hessen Cassel. Motion carried. Copy to be placed on file in vault.

9. Approval of Change Order #5 & FINAL received from Louis Lee Lengacher for Fort Wayne Police Department Operations Center – Lobby Renovation decreasing the contract amount by $10,000.00. The original contract price was $149,330.00. The new contract price including this change order is $142,054.00;

   Shelli Young, Property Manager said that this Change Order is the credit back to the Owner for the unused amount of monies remaining in the allowance as specified in Section 01020 in the Project Manual.

   Denise Porter-Ross moved approval of Change Order #5 & FINAL received from Louis Lee Lengacher for Fort Wayne Police Department Operations Center – Lobby Renovation decreasing the contract amount by $10,000.00. Motion carried. Contract price to be decreased.

10. Approval of purchase from Jag Promotion for City Uniforms in connection with the summer dress code;

    Jerry Schoenle, Water Maintenance, stated that Jeff Goblirsch, a Water Maintenance employee, has a pecuniary interest in Jag Promotions and as this was an arms-length transaction, Mr. Goblirsch has signed a City of Fort Wayne Uniform Conflict of Interest Disclosure Statement. Mr. Schoenle said that this bid went through the normal bid process through the Purchasing Department and Mr. Goblirsch submitted the lowest bid.

    John Suarez moved approval of purchase from Jag Promotion for City Uniforms in connection with the summer dress code. Motion carried. Copy to be placed on file in vault.

11. Approval of Agreement between the City of Fort Wayne and Mid-States Engineering to provide professional services for the design engineering of improvements to Lake Ave: Anthony Blvd. to Stanley Avenue. Proposed improvements include: cement concrete pavement removal and reconstruction of minor widening in specific locations; pavement markings. Compensation for services performed shall be a fee not-to-exceed $49,700.00. City Engineering recommends approval;

    Held for further review.

12. Approval of Agreement between the City of Fort Wayne and DLZ-Indiana, LLC to provide professional services for the design engineering of improvements to Congressional Parkway. Proposed improvements include cement concrete pavement widening; side ditch drainage and driveway culvert pipe rehabilitation; Goshen Rd. intersection access and driveway approach geometric upgrade, right-of-way clearing; commercial sign relocation; pavement markings. Compensation for services performed shall be a fee not-to-exceed $38,600.00. City Engineering recommends approval;

    David Ross, City Engineer, said that this project would be construction in 2003. Mr. Ross stated that property owners have agreed to share in the cost of the project.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and DLZ-Indiana, LLC to provide professional services for the design engineering of improvements to Congressional Parkway. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. Approval of Change Order #1 and FINAL for Improvement Resolution #6830-02, received from Bunn Excavating for Jefferson Blvd. West & Freeman Street, increasing the contract price by $25,690.71. The original contract price was $105,248.25. The new contract price including this change order is $130,938.96;

    David Ross, City Engineer said that this change order was due to additional materials needed on the project because quantities were estimated low.

    John Suarez moved approval of Change Order #1 and FINAL for Improvement Resolution #6830-02, received from Bunn Excavating for Jefferson Blvd. West and Freeman Street, increasing the contract price by $25,690.71. Motion Carried. Contract price to be increased.

14. Approval of Construction Contract for Improvement Resolution #6885-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 8-2002 in the amount of $138,140.00;

    Denise Porter-Ross moved approval of Construction Contract for Improvement Resolution #6885-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Package 8-2002 in the amount of $138,140.00. Motion carried. Contract to be sent to City Council.

15. Approval of Construction Contract for Improvement Resolution #6891-02 between Key Concrete and the City of Fort Wayne for Northside/Larez Neighborhood in the amount of $76,058.00;

    Denise Porter-Ross moved approval of Construction Contract for Improvement Resolution #6891-02, between Key Concrete and the City of Fort Wayne for Northside/Larez Neighborhood in the amount of $76,058.00. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract for Improvement Resolution #6893-02 between Brooks Construction Co. and the City of Fort Wayne for Ardmore Avenue: Lower Huntington Road to Covington Road in the amount of $323,110.30;

    Denise Porter-Ross moved approval of Construction Contract for Improvement Resolution #6893-02, between Brooks Construction Co. and the City of Fort Wayne for Ardmore Avenue: Lower Huntington Road to Covington Road in the amount of $323,110.30. Motion carried. Contract to be sent to City Council.

17. Approval of recommendation received from Transportation Engineering Support Services to accept the work performed on the following contracts;

    McKinnie Circle – Res. #6781-01, Bunn, Inc.

    Corwin Lane – Res. #6755-01, Hipskind Concrete

    Reserve Line Rd. – Res. #6802-01, Wayne Asphalt

    Belle Ave. – Res. #6821-01, E & B Paving

John Suarez moved approval of recommendation received from Transportation Engineering Support Services to accept the work performed on the above-mentioned contracts. Motion carried. Acceptance letters to be sent.

18. Approval of Professional Engineering Services Agreement between American Consulting, Inc. and the City of Fort Wayne for Evaluation of AquaSource's Northern Area Water and Sewer Systems. The not-to-exceed amount for this contract is $78,900.00. Planning & Design Services recommend approval;

    Held for further review.

19. Approval of Engineering Services Agreement between Donohue & Associates and the City of Fort Wayne for Primary Clarifiers & 85 MGD Upgrades. The Professional Services fee amount total is $1,699,919.00. Planning & Design Services recommend approval;

    Held for further review.

20. Approval of Change Order #1 and FINAL received from All Star Construction for Improvement Resolution #1086-01, Northwest Feeder Main increasing the contract amount by $6,458.78. The original contract amount was $750,596.37. The new contract amount including this change order is $757,055.15;

    Ron Sheppard, Engineering Support Services, said that this change order is for final quantities for bid items and work allowance for additional items which were not part of the original bid.

    Denise Porter-Ross moved approval of Change Order #1 and FINAL received from All Star Construction for Improvement Resolution #1086-01, Northwest Feeder Main, increasing the contract amount by $6,458.78. Motion carried. Contract price to be increased.

21. Approval of Construction Contract #1109-02 between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement in the amount of $127,305.25;

    John Suarez moved approval of Construction Contract #1109-02 between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement in the amount of $127,305.25. Motion carried. Contract to be sent to Council.

22. Approval of Escrow Agreement for Construction Contract #1109-02 between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement. Grabill Bank is the Escrow Agent;

    John Suarez moved approval of Escrow Agreement #1109-02, between Dafforn Excavating and the City of Fort Wayne for Plaza & S. Colonial Water Main Replacement. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

23. Approval of Sewer Contract #2002-S-26 between Chestnut Group, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lakes of Brook's Crossing Section III Phase I. This project is

outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, stated that said sewer to include 2,332 l.f. of 8" PVC SDR Pipe.

John Suarez moved approval of Sewer Contract #2002-S-26, between Chestnut Group, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lakes of Brook's Crossing Section III, Phase I. Motion carried.

24. Approval of Amended Contract #2001-S-31 between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Morgan Creek Section I & The Coves of Morgan Creek. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

    Jack Suter, Development Services, stated that this contract was amended to include the equivalent residential unit fees that was established by a Resolution that was adopted last week. Said sewer to include 2,245 L.F. of 8", 1,352 l.f. of 10" & 170 l.f. of 24" PVC Pipe.

    Denise Porter-Ross moved approval of Amended Contract #2001-S-31, between Steeplechase Development Corp. and the Fort Wayne Water Pollution Control Utility, to construct a local sanitary sewer system to serve Morgan Creek Section I & the Coves of Morgan Creek. Motion carried.

25. Approval of Water Contract #2002-W-10 between Quality Crafted Homes, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Forest Creek at Chandler's Section I. This project is located outside the City of Fort Wayne (PRIVATELY FUNDED);

    Jack Suter, Development Services, stated that this contract would include 917 L.F. of 12" of 12" ductile iron water main. 975 l.f. of 8" ductile iron water main and 36-1" service connections.

    John Suarez moved approval of Water Contract #2002-W-10, between Quality Crafted Homes, Inc. and the Fort Wayne Water Utility, to construct water main systems to serve Forest Creek at Chandler's Section I. Motion carried.

26. Approval of General Accounting Claims in the amount of $7,076,618.92;

    Denise Porter-Ross moved approval of General Accounting Claims in the amount of $7,076,618.92. Motion carried. Claims to be sent to the Department of Finance.

27. Approval of Barrett Law Claims in the amount of $102,346.19;

    John Suarez moved approval of Barrett Law Claims in the amount of $. Motion carried.

28. Old Business:

None.

29. New Business:

AWARD: Improvement Resolution #6886-02, Coldwater Road & Washington Center Road to Brooks Const. Co. in the amount of $530,369.51. **PRIOR APPROVAL REQUESTED;**

John Suarez moved approval for AWARD: Improvement Resolution #6886-02, Coldwater Road and Washington Center Road to Brooks Construction Company, in the amount of $530,369.51. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

Approval of Construction Contract #6844-02, Baylor Drive between Primco Inc. and the City of Fort Wayne, Indiana in the amount of $136,653.25;

Denise Porter-Ross moved approval of Construction Contract #6844-02, Baylor Drive, between Primco Inc. and the City of Fort Wayne, Indiana, in the amount of $136,653.25. Motion carried.

RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of a Form of Bond Ordinance, Recommending its Adoption to the Common Council of the City and Other Related Matters;

Held for further review.

IMPROVEMENT RESOLUTION #1522-02, Water Main Interconnections – Contract #1;

Greg Meszaros, Chief of Engineering said that this Resolution orders the construction of approximately 720 LF of 6" water main. Water main construction is a combination of two separate areas into one project.

Denise Porter Ross moved approval of IMPROVEMENT RESOLUTION #1522-02, Water Main Interconnections—Contract #1. Motion Carried. Copy to be herein incorporated. Bids to be received on August 7, 2002.

Approval of Change Orders #4 & #5 received from R. E. Crosby for the New Transportation Facility. Change Order #4 is for $285,455.00 to add a Salt Dome & Conveyer System, and Change Order #5 is $41,986.00 for providing landscaping, paving, and miscellaneous support for the Salt Dome Structure;

Shelli Young, Property Manager, apprised the Board of the following; the original bid for the Transportation Facility did not include the Salt Dome, but was added as an alternate. At the time, the City did not have bond financing and now the financing has been secured. The plans have been modified for site changes.

Denise Porter-Ross moved approval of Change Orders #4 & #5, received from R. E. Crosby for the New Transportation Facility. Motion carried. Contract price to be increased.

David Ross, City Engineer, said that he had a situation with deteriorated sidewalk and Vic Bobay recommended that the City do an emergency resolution to replace 4 or 5 sections at the 2700 Block of Tyler Ave. This will be done as an invitational bid.

John Suarez moved approval to proceed with the invitational bid for emergency work at the 2700 Block of Tyler. Motion carried. Resolution to be prepared for next weeks meeting.

Meeting adjourned at 10:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

JULY 17, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 10:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

PRESENT: All Members & Clerk; Jim Howard, City Law Department; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Mike Fruchey, Transportation Engineering Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic, Planning & Design; George Sistevaris, Esq., Haller & Colvin P.C.

1. Administrative Hearing continued from July 10,2002 for Improvement Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction of the Constitution Drive Stormwater System Improvement Project;

   Jim Howard, Associate City Attorney, apprised the Board of the following: it looks like we do have a settlement on this project. I have a separate Resolution that would confirm the previous resolution with amendments. This resolution would have its own separate resolution, but would confirm Resolution #1516-2002 with amendments.

   Those amendments specifically that we have asked for in that Resolution is that we have taken the legal description of the easement and reduced it down to the size of the actual easement. The previous Resolution was looking at the entire Constitution Drive. Both parties have agreed that it is not necessary for the stormwater easements. The reduction of the easement is the new Exhibit A-2, which is attached to this Resolution. That Exhibit is subject to more technical review. Counsel for Mr. Fyffe and Constitution Drive and myself have been in discussion about that legal description and we think that there may be some technical problems with the legal description.

   The second thing that we are asking to amend, or add to the previous Resolution is that the existing private drain, or what has been known as the private drain, actually the City thinks that it is a public drain, but the existing drain that goes from where we would be tapping into to the area known as the Flough Ditch, would be declared a public drain by this Resolution. We would get that document recorded that we want recorded to declare this private drain a public drain, as we believe it is. We just don't have the documentation there that we think that we should have. This would make a declaration that we are responsible for maintenance of the existing drain and our new drain.

The third thing is, of course, that we would affirm that if we do maintenance on these drains, we would repair Constitution Drive to its original condition upon any repair or maintenance on the stormwater drain.

The fourth thing, which I have checked with Mary Jane Slaton, Development Services, we would agree to waive tapping fees as long as such taps by the underlying owner are done in compliance with our technical regulations. They have stated that would be fine and we can agree to that, as long as any taps are done in compliance with the City of Fort Wayne technical regulations for stormwater pipe.

Finally, we have just added a couple of exhibits, the project area, the actual fire station description area should be part of this Resolution and then an exhibit showing the list of the affected property owners is added as Exhibit C, which is Siara Management and Sanford Simon, Trustee of the Constitution Drive.

We recommend that everything be confirmed.

I will let Mr. Sistevaris speak for himself on behalf his client as to if they have any further issues.

Ted Rhinehart asked Mr. Sistevaris if he had a chance to review this modified Resolution and agree with what Jim Howard stated, that the terms reflect what has been discussed.

Mr. Sistevaris apprised the Board of the following: Jim Howard has been very cooperative and very open to resolving these issues with my client. I think that we have bridged a big gap between the two parties and I am very pleased to say we are in agreement with the Resolution. The minor technical problems really just came to light yesterday when our engineer was reviewing the exhibits and as I told Jim, I think that those are very minor issues that may involve changing the word west to east or some minor technical detail, which certainly can be resolved without problem. Otherwise, based on the Resolution and based on the technical corrections, we would be willing to go forward and to waive any remonstrance of the Resolution.

Ted Rhinehart stated that because what we are essentially finding is this that because it is already encumbered by a road easement, that the drainage easement is not, in our mind, worth anything financially, but because of the time and effort involved on behalf of the land owner is reviewing it, evaluating it, documenting that, hiring an attorney to evaluate it and work out an arrangement with us, that we are giving them an administrative settlement of a couple thousand dollars to partially compensate them for their time and expense. Mr. Rhinehart said that it avoids them having to remonstrate to potentially sue us for their claims of damages, or however they wanted to pursue, so it looks like a straightforward settlement. Mr. Rhinehart said that the modification to the Resolution confirms that we are condemning this easement for purpose of drainage, but that we also

are agreeing to provide the connection and the other considerations and reaches a compromising solution.
Denise Porter-Ross moved to modify and confirm Resolution #1516-2002 by the Resolution proposed (Resolution Number to be determined). Motion carried. Copy to be herein incorporated.

2. Approval of Board of Stormwater Management Minutes of July 10, 2002;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of July 10, 2002. Motion carried. Minutes approved.

3. Approval of Escrow Agreement between the City of Fort Wayne and Crosby Excavating for Improvement 665-02, North Drive-Reed Road Storm Drainage. Bank One is the Escrow Agent;
John Suarez moved approval of Escrow Agreement between the City of Fort Wayne and Crosby Excavating for Improvement Resolution I#665-02. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 10:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

JULY 17, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250 – OMNI ROOM
MEETING HELD AT 10:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

PRESENT: All Members & Clerk; Jim Howard, City Law Department; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Shelli Young, Property Manager; Mike Fruchey, Transportation Engineering Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic, Planning & Design; George Sistevaris, Esq., Haller & Colvin P.C.

1. Administrative Hearing continued from July 10,2002 for Improvement Resolution #1516-02 approving the Constitution Drive Stormwater System Improvement Project and Appropriating and Condemning Easements for use by the City of Fort Wayne for Construction of the Constitution Drive Stormwater System Improvement Project;

   Jim Howard, Associate City Attorney, apprised the Board of the following: it looks like we do have a settlement on this project. I have a separate Resolution that would confirm the previous resolution with amendments. This resolution would have its own separate resolution, but would confirm Resolution #1516-2002 with amendments.

   Those amendments specifically that we have asked for in that Resolution is that we have taken the legal description of the easement and reduced it down to the size of the actual easement. The previous Resolution was looking at the entire Constitution Drive. Both parties have agreed that it is not necessary for the stormwater easements. The reduction of the easement is the new Exhibit A-2, which is attached to this Resolution. That Exhibit is subject to more technical review. Counsel for Mr. Fyffe and Constitution Drive and myself have been in discussion about that legal description and we think that there may be some technical problems with the legal description.

   The second thing that we are asking to amend, or add to the previous Resolution is that the existing private drain, or what has been known as the private drain, actually the City thinks that it is a public drain, but the existing drain that goes from where we would be tapping into to the area known as the Flough Ditch, would be declared a public drain by this Resolution. We would get that document recorded that we want recorded to declare this private drain a public drain, as we believe it is. We just don't have the documentation there that we think that we should have. This would make a declaration that we are responsible for maintenance of the existing drain and our new drain.

BOARD OF STORMWATER MANAGEMENT AGENDA

JULY 24, 2002

1. Approval of Board of Stormwater Management Minutes of July l7, 2002;

2. Approval of FINAL Change Order received from Land, Inc. for Improvement Resolution #638-01 decreasing the contract price by $2,377.48. The original contract price was $58,950.00. The new contract price including this change order is $56,572.52;

3. Approval of Construction Contract #647-02 between Land, Inc. and the City of Fort Wayne for Hickory Grove/Waycross Drive Stormwater Improvements in the amount of $105,160.00;

4. Approval of Escrow Agreement between Land, Inc. and the City of Fort Wayne for Construction Contract #647-02, Hickory Grove/Waycross Drive Stormwater Improvements. Farmers & Merchants Bank is the Escrow Agent;

5. Old Business:

6. New Business;

BOARD OF PUBLIC WORKS

JULY 24, 2002

1. **RECEIVE BIDS:** Improvement Resolution #650-01, Forest Park Combination Sewer Rehabilitation;
2. **RECEIVE BIDS:** Improvement Resolution #1098-02, Shoaff Park – Feeder Main;
3. **AWARD:** Improvement Resolution #678-02, General CIPP 2002, to Insituform in the amount of $1,063,901.00. Contract Compliance concurs with this award;
4. **AWARD:** Improvement Resolution #1103-02, Water Main Interconnections – Contract 2, to Dafforn Excavating in the amount of $78,154.23. Contract Compliance concurs with this award;
5. **AWARD:** Improvement Resolution #1501-02, Covington Road North Sanitary Sewer to Crosby Excavating in the amount of $58,439.40. Contract Compliance concurs with this award;
6. **AWARD:** Improvement Resolution #6894-02, Public Sidewalk Curb Ramp 2002 Intersections Pkg. I, to Key Concrete, Inc., in the amount of $133,625.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
7. **AWARD:** Improvement Resolution #6896-02, Indiana Avenue and Rudisill Blvd., to Lights & Signals, Inc., in the amount of $56,783.91. Contract Compliance concurs with this award;
8. Approval of Board of Public Works Minutes of July 17, 2002;
9. Approval of Agreement between the City of Fort Wayne and Mid States Engineering to provide professional services for the design engineering of improvements to Lake Ave: Anthony Blvd. to Stanley Avenue. Proposed Improvements include: cement concrete pavement removal and reconstruction of minor widening in specific locations; pavement markings. Compensation for services performed shall be a fee not-to-exceed $49,700.00. City Engineering recommends approval;
10. **IMPROVEMENT RESOLUTION #6897-02,** Coombs Street Railroad Viaduct;
11. Approval of Change Order #2 received from Brooks Construction Company, Inc., for Improvement Resolution #6804-01, West Jefferson Blvd – Viaduct to St. Mary's River increasing the contract amount by $4,995.50. The original contract price was $1,276,716.77. The new contract price including this change order is $1,340,655.27;
12. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement #6883-02, North Anthony Blvd. increasing the contract price by $6,750.00. The original contract price was $110,504.00. The new contract price including this change order is $117,254.00;
13. Approval of Construction Contract #6875-02 between Wayne Asphalt & Const. Co. and the City of Fort Wayne for Victoria Drive: Inwood Drive to Eastern Terminus in the amount of $116,011.10;

14. Approval of Construction Contract #6888-02 between Newell Construction Co. and the City of Fort Wayne for Miscellaneous Construction Package 2-B-02 in the amount of $164,721.00;

15. Approval of Professional Engineering Services Agreement between American Consulting, Inc. and the City of Fort Wayne for Evaluation of AquaSource's North Area Water & Sewer Systems. The not-to-exceed for this contract is $25,000.00. Planning & Design Services recommend approval;

16. Approval of Engineering Services Agreement between Donohue & Associates and the City of Fort Wayne for Primary Clarifiers & 85 MGD Upgrades. The Professional Services fee amount total is $1,699,919.00. Planning & Design Services recommend approval;

17. Approval of Professional Services Agreement between the City of Fort Wayne and CrossRoad Engineers, PC for Waynedale Water Main Replacements. The not-to-exceed amount for this Contract is $76,700.00. Planning & Design Services recommend approval;

18. Approval of Sewer Contract #2002-S-28 between Quality Crafted Homes, Inc. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer to serve Forest Creek at Chandler's Section I. This project is outside the City. This project contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

19. Approval of Change Order #1 & FINAL received from All Star Construction for Improvement Resolution #1095-01, Freeman Street Water Main Replacement increasing the contract amount by $8,374.25. The original contract price was $196,597.80. The new contract price including this change order is $204,972.05;

20. Approval of Change Order #1 received from Bowen Engineering for Contract #00-W-01, Filter Backwash System increasing the contract amount by $36,377.00. The original contract price was $603,800.00. The new contract price including this change order is $640,177.00;

21. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction on Res. #1086-01, Northwest Feeder Main as part of the City's water distribution system;

22. Approval of General Accounting Claims in the amount of $1,393,716.60;

23. Approval of Barrett Law Claims in the amount of $~~109,223.58~~ 112,882.08;

24. Old Business:

25. New Business:

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:00 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jack Suter, Development Services; Matt Wirtz, Mike Hicks, & Mike Hicks, Planning & Design.

1. **RECEIVE BIDS:** Improvement Resolution #650-02, Forest Park Combination Sewer:

Environmental Pipeliners	$1,452,106.25
Insituform	836,381.50
Reynolds Inc.	1,067,340.00
Engineer's Estimate	$ 876,000.00

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1098-02, Shoaff Park Feeder Main

Bercot, Inc.	$ 77,977.00
Land, Inc.	59,690.00
Pyramid	56,854.00
Crosby Excavating	64,933.00
Engineer's Estimate	$ 98,270.00

Engineering Support Services to tabulate and report.

3. **AWARD:** Improvement Resolution #678-02, General CIPP 2002, to Insituform in the amount of $1,063,901.00. Contract Compliance concurs with this award;

John Suarez moved approval of award for Improvement Resolution 678-02 to Insituform in the amount of $1,063,901.00. Motion carried. Notice to award to be sent. Engineering Support Services to prepare contracts.

4. **AWARD:** Improvement Resolution #1103-02, Water Main Interconnections, to Dafforn Excavating in the amount of $78,154.23. Contract Compliance concurs with this award;

John Suarez moved approval of award for Improvement Resolution #1103-02 to Dafforn Excavating in the amount of $78154.23. Motion

carried. Notice to award to be sent. Engineering Support Services to prepare contracts.

5. **AWARD:** Improvement Resolution #1501-02, Covington Road North Sanitary Sewer to Crosby Excavating in the amount of $58,439.40. Contract Compliance concurs with this award;

   John Suarez moved approval of award Improvement Resolution #1501-02 to Crosby Excavating in the amount of $58,439.40. Motion carried. Notice to award to be sent. Engineering Support Services to prepare contracts.

6. **AWARD:** Improvement Resolution #6894-02, Public Sidewalk Curb Ramp 2002 Intersections Pkg. I, to Key Concrete, Inc., in the amount of $133,625.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

   John Suarez moved approval of award of Improvement Resolution #6894-02 to Key Concrete, Inc., in the amount of $133,625.00. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

7. **AWARD:** Improvement Resolution #6896-02, Indiana Avenue and Rudisill Blvd., to Lights & Signals, Inc., in the amount of $56,783.91. Contract Compliance concurs with this award;

   John Suarez moved approval of award of Improvement Resolution #6896-02 to Lights & Signals, Inc. in the amount of $56,783.91. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

8. Approval of Board of Public Works Minutes of July 17, 2002;

   John Suarez moved approval of Board of Public Works Minutes of July 17, 2002. Motion carried. Minutes approved.

9. Approval of Agreement between the City of Fort Wayne and Mid States Engineering to provide professional services for the design engineering of improvements to Lake Ave: Anthony Blvd. to Stanley Avenue. Proposed Improvements include: cement concrete pavement removal and reconstruction of minor widening in specific locations; pavement markings. Compensation for services performed shall be a fee not-to-exceed $49,700.00. City Engineering recommends approval;

   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Mid States Engineering to provide professional services for the design engineering of improvements to Lake Ave: Anthony Blvd. to Stanley Avenue. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. **IMPROVEMENT RESOLUTION #6897-02,** Coombs Street Railroad Viaduct;

    David Ross, City Engineer stated that this improvement is for removing existing and upgrading curbface sidewalk, handrail and impact attenuators; rehabilitate retaining walls and stormwater drainage, sodding restoration and other related work.

Denise Porter-Ross moved approval of Improvement Resolution #6897-02. Motion carried. Copy to be herein incorporated.

11. Approval of Change Order #2 received from Brooks Construction Company, Inc., for Improvement Resolution #6804-01, West Jefferson Blvd – Viaduct to St. Mary's River increasing the contract amount by $4,995.50. The original contract price was $1,276,716.77. The new contract price including this change order is $1,340,655.27;

David Ross, City Engineer, stated that in an effort to soften the economic impact to businesses in the West Main Street area, requested that a detour route be established to Main Street via Lindenwood Avenue, Spring Street and Leesburg Road for eastbound West Jefferson Blvd. traffic because of the left-turn restrictions in the construction area. Two Type "A" Construction Signs and eight Detour Route Marker Assemblies were required to satisfy this request.

The City Engineer's office also responded to a letter from Norfolk Southern Corporation requesting that access to their facilities from West Jefferson Blvd. be maintained in the location of Station 74+57 Right. It was requested that the proposed guardrail in that location be changed to provide this access. The changes require deletion of some W-Beam Guardrail and the addition of two W-Beam Guardrail and the addition of two W-Beam Terminal Systems to maintain safety intended by the guardrail.

Denise Porter-Ross moved approval of Change Order #2 received from Brooks Construction Company, Inc., for Improvement Resolution #6804-01, West Jefferson Blvd – Viaduct to St. Mary's River increasing the contract amount by $4,995.50. Motion carried. Contract amount to be increased.

12. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement #6883-02, North Anthony Blvd. increasing the contract price by $6,750.00. The original contract price was $110,504.00. The new contract price including this change order is $117,254.00;

David Ross, City Engineer said that the location of the existing sidewalk in plan was not as it existed in the field. The new pavement would be 1-1/2 feet into the sidewalk so the sidewalk has to be relocated.

John Suarez moved approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement #6883-02, North Anthony Blvd. increasing the contract price by $6,750.00. Motion carried. Contract amount to be increased.

13. Approval of Construction Contract #6875-02 between Wayne Asphalt & Const. Co. and the City of Fort Wayne for Victoria Drive: Inwood Drive to Eastern Terminus in the amount of $116,011.10;

Denise Porter-Ross moved approval of Construction Contract #6875-02 between Wayne Asphalt & Const. Co. and the City of Fort Wayne for Victoria Drive: Inwood Drive to Eastern Terminus in the amount of $116,011.10. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #6888-02 between Newell Construction Co. and the City of Fort Wayne for Miscellaneous Construction Package 2-B-02 in the amount of $164,721.00;

John Suarez moved approval of Construction Contract #6888-02 between Newell Construction Co. and the City of Fort Wayne for Miscellaneous Construction Package 2-B-02 in the amount of $164,721.00. Motion carried. Contract to be sent to City Council.

15. Approval of Professional Engineering Services Agreement between American Consulting, Inc. and the City of Fort Wayne for Evaluation of AquaSource's North Area Water & Sewer Systems. The not-to-exceed for this contract is $25,000.00. Planning & Design Services recommend approval;

Ted Rhinehart apprised the Board of the following: American Consulting, Inc. would prepare an independent evaluation of facilities owned and operated by AquaSource in the northern part of the City. American Consulting, Inc. shall tour the water distribution system including treatment facilities, storage towers, well fields and other areas to gain knowledge of system coverage and equipment in use within the systems. Tours shall be with City and/or AquaSource Officials.

Denise Porter-Ross moved Approval of Professional Engineering Services Agreement between American Consulting, Inc. and the City of Fort Wayne for Evaluation of AquaSource's North Area Water & Sewer Systems. Motion carried. Agreement to be signed at next weeks Board of Public Works meeting.

16. Approval of Engineering Services Agreement between Donohue & Associates and the City of Fort Wayne for Primary Clarifiers & 85 MGD Upgrades. The Professional Services fee amount total is $1,699,919.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design said that this is for the design of an approximately $30,000,000 construction project for primary settling tanks, effluent pumping, the 3rd of three wastewater screens, 5th and 6th raw wastewater pumps, abandonment of old primary settling tanks and to build disinfection facilities.

Denise Porter-Ross moved Approval of Engineering Services Agreement between Donohue & Associates and the City of Fort Wayne for Primary Clarifiers & 85 MGD Upgrades. The Professional Services fee amount total is $1,699,919.00. Motion carried. Copy to be placed in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and CrossRoad Engineers, PC for Waynedale Water Main Replacements. The not-to-exceed amount for this Contract is $76,700.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design Services apprised the Board of the following: this project consists of the replacement of water mains in the Waynedale Subdivision area. The replacements will include either 6 or 8 inch diameter piping with appropriate fire hydrants and valves for the following approximate lengths along the following streets: 1,780 feet along Fernwood Avenue; 700 feet along Daleview Drive; 3,000 feet along Baer Road; 3,450 feet along Ideal Avenue, 2,180

feet along Beaty Avenue; and 2,000 feet along Elzey Street. The approximate length is 13,110 linear feet.

John Suarez moved Approval of Professional Services Agreement between the City of Fort Wayne and CrossRoad Engineers, PC for Waynedale Water Main Replacements. The not-to-exceed amount for this Contract is $76,700.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Sewer Contract #2002-S-28 between Quality Crafted Homes, Inc. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer to serve Forest Creek at Chandler's Section I. This project is outside the City. This project contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this 34-lot residential development is between I-469-\ and Whelock Road. It would include 1600 lf of 8" PVC pipe.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-28 between Quality Crafted Homes, Inc. and the Fort Wayne Water Pollution Control to construct a local sanitary sewer to serve Forest Creek at Chandler's Section I. Motion carried. Sanitary sewer to be constructed.

19. Approval of Change Order #1 & FINAL received from All Star Construction for Improvement Resolution #1095-01, Freeman Street Water Main Replacement increasing the contract amount by $8,374.25. The original contract price was $196,597.80. The new contract price including this change order is $204,972.05;

Ron Sheppard, Engineering Support Services stated that the majority of the change order is due to quantities that were underestimated.

John Suarez moved approval of Change Order #1 & FINAL received from All Star Construction for Improvement Resolution #1095-01, Freeman Street Water Main Replacement increasing the contract amount by $8,374.25. Motion carried. Contract price to be increased.

20. Approval of Change Order #1 received from Bowen Engineering for Contract #00-W-01, Filter Backwash System increasing the contract amount by $36,377.00. The original contract price was $603,800.00. The new contract price including this change order is $640,177.00;

Ron Sheppard, said that the majority of this change order was due to deletion of lead abatement for exterior of tank.

Denise Porter-Ross moved Approval of Change Order #1 received from Bowen Engineering for Contract #00-W-01, Filter Backwash System increasing the contract amount by $36,377.00. Motion carried. Contract price to be increased.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction on Res. #1086-01, Northwest Feeder Main as part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction on Res. #1086-01, Northwest Feeder Main as part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

22. Approval of General Accounting Claims in the amount of $11,393,716.60;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $11,393,716.60. Motion carried. General Accounting Claims to be sent to the Department of Finance.

23. Approval of Barrett Law Claims in the amount of $112,882.08;

John Suarez moved approval of Barrett Law Claims in the amount of $112,882.08. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

24. Old Business:

None.

25. New Business:

None.

Meeting adjourned at 9:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
JULY 24, 2002

BOARD OF PUBLIC WORKS
ROOM 250 – OMNI ROOM
MEETING HELD AT 9:30 AM

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jack Suter, Development Services; Matt Wirtz, Mike Hicks, & Mike Hicks, Planning & Design.

1. Approval of Board of Stormwater Management Minutes of July l7, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of July 17, 2002. Motion carried. Minutes approved.

2. Approval of FINAL Change Order received from Land, Inc. for Improvement Resolution #638-01, Seddlemeyer Ave. Stormwater System Improvement decreasing the contract price by $2,377.48. The original contract price was $58,950.00. The new contract price including this change order is $56,572.52;

   Ron Sheppard, Engineering Support Services said that this change order is for an adjustment of final quantities.
   Denise Porter-Ross moved approval of FINAL Change Order received from Land, Inc. for Improvement Resolution #638-01, Seddlemeyer Ave. Stormwater System Improvement decreasing the contract price by $2,377.48. Motion carried. Contract price to be decreased.

3. Approval of Construction Contract #647-02 between Land, Inc. and the City of Fort Wayne for Hickory Grove/Waycross Drive Stormwater Improvements in the amount of $105,160.00;
John Suarez moved approval of Construction Contract #647-02 between Land, Inc. and the City of Fort Wayne for Hickory Grove/Waycross Drive Stormwater Improvements in the amount of $105,160.00. Motion carried. Contract to be sent to City Council.

4. Approval of Escrow Agreement between Land, Inc. and the City of Fort Wayne for Construction Contract #647-02, Hickory Grove/Waycross Drive Stormwater Improvements. Farmers & Merchants Bank is the Escrow Agent;
John Suarez moved approval of Escrow Agreement between Land, Inc. and the City of Fort Wayne for Construction Contract #647-02, Hickory

Grove/Waycross Drive Stormwater Improvements. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

5. Old Business:

None.

6. New Business;

None.

Meeting adjourned at 9:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

JULY 31, 2002

1. **RECEIVE BIDS:** Improvement Resolution #6898-02, The Landing Improvements;
2. **AWARD:** Improvement Resolution #650-01, Forest Park Combination Sewer Rehabilitation to Insituform Technologies, Inc. in the amount of $836,381.50. Contract Compliance concurs with this award;
3. **AWARD:** Improvement Resolution #1098-02, Shoaff Park Feeder Main to Pyramid Excavating in the amount of $56,854.00. Contract Compliance concurs with this award;
4. **RESOLUTION** Recognizing ABB Water Meters, Inc. as the Best, Lowest, Responsive and Responsible Proposal and Authorizing Staff to Conduct Additional Negotiation on Details of the Mobile Automatic Metering System by the Board of Public Works of the City of Fort Wayne, Indiana;
5. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Works agrees to allocate $5,406.00 from 3rd District CEDIT Funds to purchase 20 picnic tables for Franke Park;
6. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Public Works agrees to allocate $25,000.00 from 4th District CEDIT Funds for capital improvements to Psi Ote Park;
7. Approval of Board of Public Works Minutes of July 24, 2002;
8. Approval of Encroachment License Agreement between the City of Fort Wayne and Lake Shores Neighborhood Association granting permission from the Board to place upon City right-of-way Lake Shores Entrance Signs on four locations within the addition;
9. **IMPROVEMENT RESOLUTION #6899-02,** 3210 Queen Street;
10. **IMPROVEMENT RESOLUTION #6900-02,** Wayne Trace – 4300 Block (West Side Only;
11. **EMERGENCY RESOLUTION** for the repair of pavement at the 2700 block of Tyler Avenue;
12. Approval of Change Order #2 & FINAL received from Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements decreasing the contract price by $0.18. The original contract price was $199,127.50. The new contract price including this change order is $210,307.00;
13. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6849-02, Riverside Avenue increasing the contract price by $5,558.71. The original contract price was $54,470.00. The new contract price including this change order is $60,028.17;

14. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements as an integral part of the City's transportation system;

15. Approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt & Construction for Improvement Resolution #6845-02, Sherborne Blvd.- Ph. II and for Improvement Resolution #6881-02, Allendale Drive. Fifth Third Bank is the Escrow Agent;

16. Approval of Change Order #2 & Final received from Dehner Construction for Improvement Resolution #619-2000, Pine Lane Sanitary increasing the contract price by $6,040.00. The original contract price was $59,174.30. The new contract price including this change order is $70,873.75;

17. Approval of Water Contract# 2002-W-09 between Pineview Land Corp., and the Fort Wayne Water Utility to construct water main systems including all necessary fittings to serve Sorrento Section I. This project is outside the City (Private and Utility Capital);

18. Approval of Sanitary Sewer Contract# 2002-S-29 between Equity Land Corp., and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stone Canyon Section I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

19. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of a Form of Bond Ordinance, Recommending its adoption to the Common Council of the City and Other Related Matters;

20. **IMPROVEMENT RESOLUTION #1521-02,** Exterior Cleaning & Painting of 4 MG Southwest Concrete Ground Storage Water Tank;

21. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to Design Contracts for Rudisill Subbasin West End Partial Sewer Separation – North. The cost of the additional work is a not-to-exceed sum of $2,630.00. Planning & Design Services recommend approval;

22. Execution of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for Evaluation of AquaSource's Northern Area Water & Sewer Systems. (This was approved at last weeks BOW meeting);

23. Approval of Construction Contract for Improvement Resolution #1501-02 between Crosby Excavating and the City of Fort Wayne for Covington Road North Sanitary Sewer in the amount of $58,439.40;

24. Approval of recommendation received from Engineering Support Services to accept the work performed by Pyramid Excavating on Sewer Contract #2002-S-03, Woodfield Section I as an integral part of the City's sanitary sewer system;

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc. on Sewer Contract #2002-S-07, Fellowship Missionary Church Sanitary as an integral part of the City's sanitary sewer system;

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #99-S-44, Trotters Chase Section I Sanitary as an integral part of the City's sanitary sewer system;

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Water Contract #9917, Trotters Chase Section Water Section I as an integral part of the City's water distribution system;

28. Approval of Barrett Law Claims in the amount of $ 4,373.70 ;

29. Approval of General Accounting Claims in the amount of $ 8,372,675.28 ;

30. Old Business:

31. New Business;

Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6846-02, Miscellaneous Package 3-A-02 increasing the contract price by $4,278.50. The original contract price was $71,942.00. The new contract price including this Change Order is $76,220.50;

Approval of Change Order #1 & Final received from G. E. Minear for Miscellaneous Construction Pkg. 3-B-02 increasing the contract price by $402.50. The original contract price was $20,236.00. The new contract price including this Change Order is $20,638.50;

Approval of Intergovernmental Agreement between the Board of Public Works and The Fort Wayne Redevelopment Commission in connection with the Washington Center Road/Coldwater Road Project;

BOARD OF STORMWATER AGENDA

JULY 31, 2002

1. Approval of Board of Stormwater Management Minutes of July 24, 2002;
2. Approval of Professional Service Agreement between Engineering Resources, Inc. and the City of Fort Wayne for Washington Township Natural Drain No. 6 Regional Detention Basin – Preliminary Meeting & PMP Process Research. The cost for services to be provided under this agreement is a lump sum total of $1,822.00. Planning & Design Services recommend approval;
3. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors, Inc. on Contract #99-ST-07, Trotters Chase Section I Storm Sewer as an integral part of the City's storm drainage system;
4. Old Business:
5. New Business:

SMG adjourned at 9:50

July 31, 2002

Board of Public Works

Room 250-Omni Room

Meeting Held at 9:00 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Carolyn S., Newport, Clerk

PRESENT: David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Mark Gensic, Paul Powers, Mike Thornson, Pat Callahan, Planning & Design; Jim Howard, Associate City Attorney; Jim Riemke, Street Lighting Engineering; Carl Wilson & Charles Bailey, Contract Compliance; Jack Suter, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jon Bonberger, Attorney with Bakers & Daniels.

1. **RECEIVE BIDS:** Improvement Resolution #6898-02, The Landing Improvements;

BIDDER	BASE BID	ALTERNATE 1	ALTERNATE 2	TOTAL BID ALTERNATE 1&2
Brooks Construction	$285,712.50	$5,489.00	$9,685.00	$300,886.50
Pioneer Associates	***$255,115.60***	***$10,344.66***	***$12,507.36***	***$277,967.62***
Engineer's Estimates	$259,202.50	$5,090.00	$8,245.00	$272,537.50

City Engineering to tabulate and report.

2. **AWARD:** Improvement Resolution #650-01, Forest Park Combination Sewer Rehabilitation to Insituform Technologies, Inc. in the amount of $836,381.50. Contract Compliance concurs with this award;

John Suarez moved approval of award for Improvement Resolution #650-01 to Insituform Technologies, Inc. in the amount of $836,381.50. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. **AWARD:** Improvement Resolution #1098-02, Shoaff Park Feeder Main to Pyramid Excavating in the amount of $56,854.00. Contract Compliance concurs with this award;

John Suarez moved approval of award for Improvement Resolution #1098-02 to Pyramid Excavating in the amount of $56,854.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

4. **RESOLUTION** Recognizing ABB Water Meters, Inc. as the Best, Lowest, Responsive and Responsible Proposal and Authorizing Staff to Conduct Additional Negotiation on Details of the Mobile Automatic Metering System by the Board of Public Works of the City of Fort Wayne, Indiana;

Jim Howard, Associate City Attorney, said that this Resolution further authorizes and directs its staff to enter into further discussions with ABB Water Meters, Inc. in order to clarify detailed elements of the final contract.

Denise Porter Ross moved approval of RESOLUTION Recognizing ABB Water Meters, Inc. as the Best, Lowest, Responsive and Responsible Proposal and Authorizing Staff to Conduct Additional Negotiation on Details of the Mobile Automatic Metering System by the Board of Public Works of the City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

5. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Works agrees to allocate $5,406.00 from 3rd District CEDIT Funds to purchase 20 picnic tables for Franke Park;

John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Works agrees to allocate $5,406.00 from 3rd District CEDIT Funds to purchase 20 picnic tables for Franke Park. Motion carried. Copy to be placed on file in vault.

6. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Public Works agrees to allocate $25,000.00 from 4th District CEDIT Funds for capital improvements to Psi Ote Park;

John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Parks and Recreation Department whereas the Board of Public Works agrees to allocate $25,000.00 from 4th District CEDIT Funds for capital improvements to Psi Ote Park. Motion carried. Copy to be placed on file in vault.

7. Approval of Board of Public Works Minutes of July 24, 2002;

Denise Porter-Ross moved approval of Board of Public Works Minutes of July 24, 2002. Motion carried. Minutes approved.

8. Approval of Encroachment License Agreement between the City of Fort Wayne and Lake Shores Neighborhood Association granting permission from the Board to place upon City right-of-way Lake Shores Entrance Signs on four locations within the addition;

Denise Porter-Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and Lake Shores Neighborhood Association granting permission from the Board to place upon City right-of-way Lake Shores Entrance Signs on four locations within the addition. Motion carried. Encroachment License Agreement to be sent to the Allen County Recorders Office.

9. **IMPROVEMENT RESOLUTION #6899-02,** 3210 Queen Street;

Mario Trevino, Transportation Engineering Services, said that this project is for drive approaches, sidewalk, curb, seed and mulch restoration

John Suarez moved approval of Improvement Resolution #6899-02. Motion carried. Copy to be herein incorporated. Bids to be received on 8/14/02.

10. **IMPROVEMENT RESOLUTION #6900-02,** Wayne Trace – 4300 Block (West Side Only;

Mario Trevino, Transportation Engineering Services said that this project includes enclosing the existing side ditch which includes: pipe, storm sewer structures/system, topsoil, mulched seeding restoration.

Denise Porter-Ross moved approval of Improvement Resolution #6900-02. Motion carried. Bids to be received on 8/14/02.

11. **EMERGENCY RESOLUTION** for the repair of pavement at the 2700 block of Tyler Avenue;

Mario Trevino, Transportation Engineering Services, said that the invitation to bid was sent to five bidders and two bidders responded. Michael Kinder & Son was the low bidder in the amount of $11,308.00.

Denise Porter-Ross moved approval of Emergency Resolution for the

repair of pavement at the 2700 block of Tyler Avenue.

12. Approval of change Order #2 & FINAL received from Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements decreasing the contract price by $0.18. The original contract price was $199,127.50. The new contract price including this change order is $210,307.00;

Mario Trevino, Transportation Engineering Services stated that this change order is due to a math error.

Denise Porter-Ross moved approval of change Order #2 & FINAL received from Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements decreasing the contract price by $0.18. Motion carried. Contract price to be decreased.

13. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6849-02, Riverside Avenue increasing the contract price by $5,558.71. The original contract price was $54,470.00. The new contract price including this change order is $60,028.17;

Mario Trevino, Transportation Engineering Services apprised the Board that this change order was due to the following:

(I) More sidewalk was required than anticipated from original estimate.

(II) Removal of concrete retaining wall required to place new walk per City Specs

(III) Concrete retaining wall required due to grade difference of back walk and property footage

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6849-02, Riverside Avenue increasing the contract price by $5,558.71. Motion carried. Contract price to be increased.

14. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements as an integral part of the City's transportation system;

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6803-02, Bloomingdale Neighborhood Improvements as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

15. Approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt & Construction for Improvement Resolution #6845-02, Sherborne Blvd.-Ph. II and for Improvement Resolution #6881-02, Allendale Drive. Fifth Third Bank is the Escrow Agent;

Denise Porter-Ross moved approval of Escrow Agreements between the City of Fort Wayne and Wayne Asphalt & Construction for Improvement Resolution #6845-02, Sherborne Blvd.-Ph. II and for Improvement Resolution #6881-02, Allendale Drive. Fifth Third Bank is the Escrow Agent. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

16. Approval of Change Order #2 & Final received from Dehner Construction for Improvement Resolution #619-2000, Pine Lane Sanitary increasing the contract price by $6,040.00. The original contract price was $59,174.30. The new contract price including this change order is $70,873.75;

Ron Sheppard, Engineering Support Services, said that this change order is for final quantities adjustment.

John Suarez moved approval of Change Order #2 & Final received from Dehner Construction for Improvement Resolution #619-2000, Pine Lane Sanitary increasing the contract price by $6,040.00. Motion carried. Contract price to be increased.

17. Approval of Water Contract# 2002-W-09 between Pineview Land Corp., and the Fort Wayne Water Utility to construct water main systems including all necessary fittings to serve Sorrento Section I. This project is outside the City (Private and Utility Capital);

Jack Suter, Development Services stated that said water line to include 2904 LF of 6" polyvinyl chloride pipe, 843 LF of 8" polyvinyl chloride pipe, and 3270 LF of 16" polyvinyl chloride pipe.

Denise Porter-Ross moved approval of Water Contract# 2002-W-09 between Pineview Land Corp., and the Fort Wayne Water Utility to construct water main systems including

all necessary fittings to serve Sorrento Section I. Motion carried. Water main systems to be constructed.

18. Approval of Sanitary Sewer Contract# 2002-S-29 between Equity Land Corp., and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stone Canyon Section I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services stated that said sewer to include 2,673 LF of 8" PVC DSR 35 & 1,773 LF of 10" PVC DSR PVC 35 Pipe.

John Suarez moved approval of Sanitary Sewer Contract# 2002-S-29 between Equity Land Corp., and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stone Canyon Section I. Motion carried. Sanitary sewer to be constructed.

19. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of a Form of Bond Ordinance, Recommending its adoption to the Common Council of the City and Other Related Matters;

Jon Bonberger, Attorney with Bakers & Daniels stated that in 1993, the City issued its waterworks refunding revenue bonds and again in 1997. Mr. Bonberger said that IC 5-1-5-1 authorizes the issuance of bonds to refund outstanding bonds and to pay redemption premiums and costs of refunding in order to effect a savings resulting in this Resolution.

Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, Regarding the Approval of a Form of Bond Ordinance, Recommending its adoption to the Common Council of the City and Other Related Matters. Motion carried. Copy to be herein incorporated. Resolution to be sent to Council.

20. **IMPROVEMENT RESOLUTION #1521-02,** Exterior Cleaning & Painting of 4 MG Southwest Concrete Ground Storage Water Tank;

Paul Powers, Planning & Design Services remarked that this Water Tank is west of the Airport and was built in 1984.

IMPROVEMENT RESOLUTION #1521-02, Exterior Cleaning & Painting of 4 MG Southwest Concrete Ground Storage Water Tank. Motion carried. Copy to be herein incorporated. Bids to be received on 8/21/02.

21. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to Design Contracts for Rudisill Subbasin West End Partial Sewer Separation – North. The cost of the additional work is a not-to-exceed sum of $2,630.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design remarked that the Amendment covers the cost of investigating the expansion of the area covered by this project.

John Suarez moved approval of Amendment No. 1 to Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. to Design Contracts for Rudisill Subbasin West End Partial Sewer Separation – North. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

22. Execution of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for Evaluation of AquaSource's Northern Area Water & Sewer Systems. (This was approved at last weeks BOW meeting);

Ted Rhinehart said that this Agreement was discussed and approved at last weeks meeting.

Denise Porter-Ross moved approval of Execution of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for Evaluation of AquaSource's Northern Area Water & Sewer Systems. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Construction Contract for Improvement Resolution #1501-02 between Crosby Excavating and the City of Fort Wayne for Covington Road North Sanitary Sewer in the amount of $58,439.40;

John Suarez moved approval of Construction Contract for Improvement Resolution #1501-02 between Crosby Excavating and the City of Fort Wayne for Covington Road North Sanitary Sewer in the amount of $58,439.40. Motion carried. Notice to proceed to be sent.

24. Approval of recommendation received from Engineering Support Services to accept the work performed by Pyramid Excavating on Sewer Contract #2002-S-03, Woodfield Section I as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Pyramid Excavating on Sewer Contract #2002-S-03, Woodfield Section I as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

25. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc. on Sewer Contract #2002-S-07, Fellowship Missionary Church Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating, Inc. on Sewer Contract #2002-S-07, Fellowship Missionary Church Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #99-S-44, Trotters Chase Section I Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #99-S-44, Trotters Chase Section I Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Water Contract #9917, Trotters Chase Section Water Section I as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Water Contract #9917, Trotters Chase Section Water Section I as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

28. Approval of Barrett Law Claims in the amount of $4,373.70;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $4,373.70. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

29. Approval of General Accounting Claims in the amount of $8,372,675.28;

John Suarez moved approval of Claims in the amount of $8,372,675.28. Motion carried. Claims to be sent to the Department of Finance.

30. Old Business:

None.

31. New Business;

Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6846-02, Miscellaneous Package 3-A-02 increasing the contract price by $4,278.50. The original contract price was $71,942.00. The new contract price including this Change Order is $76,220.50;

Mario Trevino, Transportation Engineering Services said that final field measurements resulted in increased quantities on concrete sidewalk, curb and concrete removal, concrete wingwalk and curb ramps, concrete curb type III, concrete pavement for residential drive.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6846-02, Miscellaneous Package 3-A-02 increasing the contract price by $4,278.50. Motion carried. Contract price to be increased.

Approval of Change Order #1 & Final received from G. E. Minear for Miscellaneous Construction Pkg. 3-B-02 increasing the contract price by $402.50. The original contract price was $20,236.00. The new contract price including this Change Order is $20,638.50;

Mario Trevino, Transportation Engineering Services said that this Change Order is due to final adjustments

John Suarez moved approval of Change Order #1 & Final received from G. E. Minear for Miscellaneous Construction Pkg. 3-B-02 increasing the contract price by $402.50. The original contract price was $20,236.00. Motion carried. Contract price to be increased.

Approval of Intergovernmental Agreement between the Board of Public Works and The Fort Wayne Redevelopment Commission in connection with the Washington Center Road/Coldwater Road Project;

David Ross, City Engineer stated that this Agreement specifies that the Board will administer the intersection improvement project and the Redevelopment Commission will reimburse the Board for all documented intersection construction expenses.

Denise Porter-Ross moved approval of Intergovernmental Agreement between the Board of Public Works and The Fort Wayne Redevelopment Commission in connection with the Washington Center Road/Coldwater Road Project. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____

Carolyn Newport, Clerk

July 31, 2002

Board of Stormwater Management

Room 250-Omni Room

Meeting Held at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

Carolyn S., Newport, Clerk

PRESENT: David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Mark Gensic, Paul Powers, Mike Thornson, Pat Callahan, Planning & Design; Jim Howard, Associate City Attorney; Jim Riemke, Street Lighting Engineering; Carl Wilson & Charles Bailey, Contract Compliance; Jack Suter, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jon Bonberger, Attorney with Bakers & Daniels.

1. Approval of Board of Stormwater Management Minutes of July 24, 2002;

   John Suarez moved approval of Board of Stormwater Management Minutes of July 24, 2002. Motion carried. Minutes approved.

2. Approval of Professional Service Agreement between Engineering Resources, Inc. and the City of Fort Wayne for Washington Township Natural Drain No. 6 Regional Detention Basin – Preliminary Meeting & PMP Process Research. The cost for services to be provided under this agreement is a lump sum total of $1,822.00. Planning & Design Services recommend approval;

   Mike Thornson, Planning & Design said the this Agreement provides for the consultant to conduct a meeting with the IDNR and to research the "Probable Maximum Precipitation Permit and dam design conditions that the IDNR has required for a proposed regional detention facility the City wishes to construct on the city's northwest side.

   John Suarez moved approval of Professional Service Agreement between Engineering Resources, Inc. and the City of Fort Wayne for Washington Township Natural Drain No. 6 Regional Detention Basin – Preliminary Meeting & PMP Process Research. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors, Inc. on Contract #99-ST-07, Trotters Chase Section I Storm Sewer as an integral part of the City's storm drainage system;

   John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors, Inc. on Contract #99-ST-07, Trotters Chase Section I Storm Sewer as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Old Business:

None.

5. New Business:

None.

Meeting adjourned at 9:50 A.M.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

AUGUST 7, 2002

1. **RECEIVE BIDS:** Improvement Resolution #584-98, Bob Arnold/Northside Park Sewer Project;

2. **RECEIVE BIDS:** Improvement Resolution #1522-02, Water Main Interconnections – Contract #1;

3. **AWARD:** Improvement Resolution #6898-02, The Landing Improvements to Pioneer Associates, Inc. in the amount of $256,066.00. **PRIOR APPROVAL REQUESTED;**

4. Approval of Board of Public Works Minutes of July 31, 2002;

5. Approval of Letters of Assurance between the City of Fort Wayne and INDOT for the Right-of-Way Acquisition of improvements to Ardmore Ave.: Lower Huntington to Dalman Road and St. Joe Center Road: St. Joe Road to Reed Road;

6. Approval of request from Fleet Management Department to request proposals for Global Positioning System/Automated Vehicle Locator System Specifications;

7. Approval of Change Order #1 received from API Construction for Improvement Resolution #6819-01, Lahmeyer/Stellhorn increasing the contract by $91,744.90. The original contract price was $428,559.64. The new contract including this change order is $520,334.54;

8. Approval of Construction Contract #6871-02 between Wayne Asphalt & Construction and the City of Fort Wayne for Lakewood Drive: Donna Drive to Reserve Line Road in the amount of $73,991.25;

9. Approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for Three Rivers Filtration Plant Waste Lime Sludge Pipeline Study. The lump sum fee for this contract is $47,600.00. Planning & Design Services recommend approval;

10. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Sewer Grit Handling Facility. The contract amount for this work is not-to-exceed $10,000.00. Planning & Design Services recommend approval;

11. Approval of Sewer Contract #2002-S-27 between Mary Saylor and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Casa Verde – Saylor Property Sanitary. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

12. Approval of Construction Contract #1103-02 between Dafforn Excavating and the City of Fort Wayne for 2002 Miscellaneous Network Connections Package 2 in the amount of $78,154.23;

13. Approval of Change Order #1 & FINAL received from Widner Paving for Contract #02-01, Restoration of Water Utility Cuts decreasing the contract price by $74,980.35. The original contract price was $172,627.50. The new contract price including this change order is $97,647.15;

14. Approval of recommendation received from Water Resources to accept the work performed by Widner Paving on Contract #02-01, Restoration of Water Maintenance and Service Dept. Utility Cuts;

15. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction on Resolution #1095-01, Freeman Street Water Main Replacement as an integral part of the City's water distribution system;

16. Approval of Authorization for Release of Escrow received from All Star Construction for Improvement Resolution #1095-02, Freeman Street Water Main Replacement in the amount of $20,497.21. Bank One is the Escrow Agent;

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2001-S-31, Morgan Creek Section I & The Coves of Morgan Creek as an integral part of the City's sanitary sewer system;

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2002-S-17, Neuhaus Interceptor Extension as an integral part of the City's sanitary sewer system;

19. Approval of Authorization for Release of Escrow received from All Star Construction received from All Star Construction for Contract #1086-01, Northwest Feeder Main Project in the amount of $75,705.52. Bank One is the Escrow Agent;

20. Approval of write off of City Utilities miscellaneous delinquent accounts in the amount of $13,595.67;

21. Approval of write off of City Utilities delinquent revenue accounts for the month of May, 2002 in the amount of $25,258.47;

22. Approval of General Accounting Claims in the amount of $9,732,518.53;

23. Old Business:

24. New Business:

Information item: Agreement for Legal Services between the City of Fort Wayne and Barrett & McNagny for St. Joe Center Road from St. Joe Rd. to Reed Road Project and Ardmore Avenue from Lower Huntington Road to Indianapolis Road Project.

Approval of Construction Contract #6896-02 between Lights & Signals and the City of Fort Wayne for Indiana Avenue & Rudisill Blvd. Intersection in the amount of $56,783.01;

Approval of Change Order #1 & FINAL received from All Star Construction for Contract #1089-01, Hacienda Village Water increasing the contract amount by $1,010.90. The original contract price was $101,199.60. The new contract price including this change order is $102,210.50;

IMPROVEMENT RESOLUTION #1110-02, Old Mill – Water Main Replacement;

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23-11-01

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Mark Kolander, Fleet Management; David Ross, City Engineering; Greg Meszaros, Chief of Engineering; Carl Wilson & Charles Bailey, Contract Compliance; Bill Simmons, Water Resources; Ron Sheppard, Engineering Support Services; Jim Howard; Associate City Attorney; Jack Suter, Development Services; Mark Gensic, Pat Callahan; Keith Hood, & Matthew Wirtz, Planning & Design.

1. **RECEIVE BIDS:** Improvement Resolution #584-1998: Bob Arnold/Northside Park Area Storm Sewer Project Contract A-1 Subbasin O10101

BIDDER	REVISED BASE BID	ADDIT. ALT. FOR EADE AVE FOR REVISED BASE BID	HDPE ALTERNATE BID	ADDIT. ALT. FOR EADE AVE FOR HDPE ALT. BID
All Star Construction	$1,169,438.50	$45,298.00,	$---------	$----------
Bunn, Inc.	***$1,161,742.25***	***$35,824.25***	$---------	$----------
Geiger Excavating	$1,287,000.00	$42,280.60	$---------	$----------
Kreager Brothers Exc.	$1,347,600.61	$53,688.03	$---------	$----------
Land Inc.	$1,286,630.00	$48,249.99	$1,262,215.00	$45,525.15
Engineer's Est.	$1,500,093.00	$59,852.00	$1,500,093.00	$59,852.00

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #1522-02: Water Main Interconnections—Contract #1

Dafforn Excavating, Inc.	$59,545.30

All Star Construction	***$35,903.00***
Engineer's Est.	$35,530.00

Engineering Support Services to tabulate and report.

3. **AWARD:** Improvement Resolution #6898-02, The Landing Improvements to Pioneer Associates, Inc. in the amount of $256,066.00. **PRIOR APPROVAL REQUESTED;**

   David Ross, City Engineer stated that this award is for the Base Bid and asphalt removal and concrete walk from Alternate 1.
   John Suarez moved approval of Award for Improvement Resolution #6898-02. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

4. Approval of Board of Public Works Minutes of July 31, 2002;
   Denise Porter-Ross moved approval of Board of Public Works Minutes of July 31, 2002. Motion carried. Minutes approved.

5. Approval of Letters of Assurance between the City of Fort Wayne and INDOT for the Right-of-Way Acquisition of improvements to Ardmore Ave.: Lower Huntington to Dalman Road and St. Joe Center Road: St. Joe Road to Reed Road;

   David Ross, City Engineer, said that these Letters of Assurance specify that where Federal Funds are involved in any project or program, which results in real property acquisition or displacement, the City of Fort Wayne will comply with said Act and Regulations effective April 2, 1989.
   Denise Porter-Ross moved approval of Letters of Assurance between the City of Fort Wayne and INDOT for the Right-of-Way Acquisition of improvements to Ardmore Ave.: Lower Huntington to Dalman Road and St. Joe Center Road: St. Joe Road to Reed Road. Motion carried. Copy to be placed on file in vault.

6. Approval of request from Fleet Management Department to request proposals for Global Positioning System/Automated Vehicle Locator System Specifications;

   Mark Kolander, Fleet Management apprised the Board of the following: the RFP time line provides a window for installation that would have the system operational in time for leaf and snow seasons. Phase I of the program will have real time mapping of Street vehicles for route studies. Phase II will interface the AVL system with the Internet so that citizens may view street cleaning operations on the web during snow events. The systems that the City has been reviewing are in a cost range of $1,000 to $2,000 per vehicle. The City will have the capability to have the systems be active (report over the internet), or passive (download information when the vehicle returns to the parking area). Estimated annual costs for active vehicles are $240 per year. Passive vehicles would have no additional costs.

Denise Porter-Ross moved approval of request from Fleet Management Department to request proposals for Global Positioning System/Automated Vehicle Locator System Specifications. Motion carried. Request for Proposals to be received.

7. Approval of Change Order #1 received from API Construction for Improvement Resolution #6819-01, Lahmeyer/Stellhorn increasing the contract by $91,744.90. The original contract price was $428,559.64. The new contract including this change order is $520,334.54;

   David Ross, City Engineer said that the majority of this change order is due to regrading the ditch going to Bullerman Ditch and also because bad soils had to be removed.
   John Suarez moved approval of Change Order #1 received from API Construction for Improvement Resolution #6819-01, Lahmeyer/Stellhorn increasing the contract by $91,744.90. The original contract price was $428,559.64. Motion carried. Contract price to be increased.

8. Approval of Construction Contract #6871-02 between Wayne Asphalt & Construction and the City of Fort Wayne for Lakewood Drive: Donna Drive to Reserve Line Road in the amount of $73,991.25;
   Denise Porter-Ross moved approval of Construction Contract #6871-02 between Wayne Asphalt & Construction and the City of Fort Wayne for Lakewood Drive: Donna Drive to Reserve Line Road in the amount of $73,991.25. Motion carried. Contract price to be increased.

9. Approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for Three Rivers Filtration Plant Waste Lime Sludge Pipeline Study. The lump sum fee for this contract is $47,600.00. Planning & Design Services recommend approval;

   Mark Gensic, Planning & Design Services apprised the Board of the following: the waste lime sludge pipeline study will evaluate the current waste lime sludge force main used to convey sludge from the Three Rivers Filtration Plant to the Water Pollution Control Plant. The study will include a review of the sludge pump and pipeline operating and maintenance data. Alternative methods to increase the reliability and flexibility of the waste lime sludge conveyance system will be identified and evaluated. Alternatives will be developed and evaluated jointly with City staff. Conceptual designs and budgetary cost estimates will be developed for recommended alternatives.
   Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and CH2M Hill for Three Rivers Filtration Plant Waste Lime Sludge Pipeline Study. The lump sum fee for this contract is $47,600.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Sewer Grit Handling Facility. The contract amount for this work is not-to-exceed $10,000.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design Services stated that the project includes preparing bid documents for construction of approximately 450' X 50' concrete drying and storage pads and related items located at the Biosolids Handling Facility located off of Lake Avenue for management of sewer grit.
Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Sewer Grit Handling Facility. The contract amount for this work is not-to-exceed $10,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

11. Approval of Sewer Contract #2002-S-27 between Mary Saylor and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Casa Verde – Saylor Property Sanitary. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this project is near Paulding and Wayne Trace and said sewer to include 160 l.f. of 8" PVC Pipe.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for Sewer Grit Handling Facility. The contract amount for this work is not-to-exceed $10,000.00. Motion carried. Sanitary sewer to be constructed.

12. Approval of Construction Contract #1103-02 between Dafforn Excavating and the City of Fort Wayne for 2002 Miscellaneous Network Connections Package 2 in the amount of $78,154.23;
Denise Porter-Ross moved approval of Construction Contract #1103-02 between Dafforn Excavating and the City of Fort Wayne for 2002 Miscellaneous Network Connections Package 2 in the amount of $78,154.23. Motion carried. Notice to proceed to be sent.

13. Approval of Change Order #1 & FINAL received from Widner Paving for Contract #02-01, Restoration of Water Utility Cuts decreasing the contract price by $74,980.35. The original contract price was $172,627.50. The new contract price including this change order is $97,647.15;

Bill Simmons, Water Resources apprised the Board of the following; the decrease is due to Widner Paving, Inc. not having all cuts restored 30 days past the completion. The City of Fort Wayne working with an emergency resolution, had given the cuts not restored in the southeast and southwest quadrants of the City to Robbco, Inc., to be restored in a 30-day period.
John Suarez moved approval of Change Order #1 & FINAL received from Widner Paving for Contract #02-01, Restoration of Water Utility Cuts decreasing the contract price by $74,980.35. The original contract price was $172,627.50. The new contract price including this change order is $97,647.15. Motion carried. Contract price to be decreased.

14. Approval of recommendation received from Water Resources to accept the work performed by Widner Paving on Contract #02-01, Restoration of Water Maintenance and Service Dept. Utility Cuts;
John Suarez moved approval of recommendation received from Water Resources to accept the work performed by Widner Paving on Contract #02-01, Restoration of Water Maintenance and Service Dept. Utility Cuts. Motion carried. Acceptance letter to be sent.

15. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction on Resolution #1095-01, Freeman Street Water Main Replacement as an integral part of the City's water distribution system;
Denise Porter-Ross moved approval of recommendation received from Water Resources to accept the work performed by Widner Paving on Contract #02-01, Restoration of Water Maintenance and Service Dept. Utility Cuts. Motion carried. Acceptance letter to be sent.

16. Approval of Authorization for Release of Escrow received from All Star Construction for Improvement Resolution #1095-02, Freeman Street Water Main Replacement in the amount of $20,497.21. Bank One is the Escrow Agent;
Denise Porter-Ross moved approval of Authorization for Release of Escrow received from All Star Construction for Improvement Resolution #1095-02, Freeman Street Water Main Replacement in the amount of $20,497.21. Motion carried. Release of Escrow to be sent to the Escrow Agent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2001-S-31, Morgan Creek Section I & The Coves of Morgan Creek as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sanitary Sewer Contract #2001-S-31, Morgan Creek Section I & The Coves of Morgan Creek as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2002-S-17, Neuhaus Interceptor Extension as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction on Sanitary Sewer Contract #2002-S-17, Neuhaus Interceptor Extension as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

19. Approval of Authorization for Release of Escrow received from All Star Construction received from All Star Construction for Contract #1086-01, Northwest Feeder Main Project in the amount of $75,705.52. Bank One is the Escrow Agent;

Denise Porter-Ross moved approval of Authorization for Release of Escrow received from All Star Construction received from All Star Construction for Contract #1086-01, Northwest Feeder Main Project in the amount of $75,705.52. Motion carried. Release of Escrow to be sent to the Escrow Agent.

20. Approval of write off of City Utilities miscellaneous delinquent accounts in the amount of $13,595.67;
John Suarez moved approval of write off of City Utilities miscellaneous delinquent accounts in the amount of $13,595.67. Motion carried. Write off of City Utilities miscellaneous delinquent accounts to be sent to a collection agency.

21. Approval of write off of City Utilities miscellaneous delinquent accounts for the month of May in the amount of $25,258.47;
John Suarez moved approval of write off of City Utilities miscellaneous delinquent accounts for the month of May in the amount of $25,258.47. Motion carried. City Utilities Miscellaneous delinquent accounts for the month to be sent to a collection agency.

22. Approval of General Accounting Claims in the amount of $9,732,518.53;
Denise Porter-Ross moved approval of General Accounting Claims in the amount of $8,732,518.53. Motion carried. Claims to be sent to the Department of Finance.

23. Old Business:

None.

24. New Business:

Information item: Agreement for Legal Services between the City of Fort Wayne and Barrett & McNagny for St. Joe Center Road from St. Joe Rd. to Reed Road Project and Ardmore Avenue from Lower Huntington Road to Indianapolis Road Project.

David Ross stated that the work for the St. Joe Center Road project is due to the relocation of the existing graves in the Parker Cemetery and the work for Ardmore Avenue would be to obtain right-of-way from property owners since it is new roadway on underdeveloped property.

Approval of Construction Contract #6896-02 between Lights & Signals and the City of Fort Wayne for Indiana Avenue & Rudisill Blvd. Intersection in the amount of $56,783.01;
John Suarez moved approval of Construction Contract #6896-02 between Lights & Signals and the City of Fort Wayne for Indiana Avenue & Rudisill Blvd. Intersection in the amount of $56,783.01. Motion carried. Notice to proceed to be sent.

Approval of Change Order #1 & FINAL received from All Star Construction for Contract #1089-01, Hacienda Village Water increasing the contract amount by $1,010.90. The original contract price was $101,199.60. The new contract price including this change order is $102,210.50;

Ron Sheppard, Engineering Support Services said that this change order is for a final quantities adjustment.
Denise Porter-Ross moved approval of Change Order #1 & FINAL received from All Star Construction for Contract #1089-01, Hacienda Village Water increasing the contract amount by $1,010.90. Motion carried. Contract price to be increased.

IMPROVEMENT RESOLUTION #1110-02, Old Mill – Water Main Replacement;

Matthew Wirtz, Planning & Design said that this Resolution is for the construction of approximately 2,500 l.f. of 6" and 8" water main, 7 fire hydrants, 44 services and all other appurtenances necessary for this project.
John Suarez moved approval of Improvement Resolution #1110-02, Old Mill – Water Main Replacement. Motion carried. Copy to be herein incorporated. Bids to be received on August 28, 2002.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

AUGUST 14, 2002

1. **RECEIVE BIDS:** Improvement Resolution #6899-02, 3210 Queen Street;

2. **RECEIVE BIDS:** Improvement Resolution #6900-02, Wayne Trace 4300 Block (West Side Only);

3. **AWARD:** Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer to Bunn Excavating in the amount of $1,157,931.25 for the Base Bid. Contract Compliance concurs with this award;

4. **AWARD:** Improvement Resolution #1522-02, 2002 Miscellaneous Network Connection Package 1, to All Star Construction, in the amount of $35,903.00. Contract Compliance concurs with this award;

5. Approval of Board of Public Works Minutes of August 7, 2002;

6. Approval of Agreement between the City of Fort Wayne and CrossRoad Engineers, PC, to provide professional services for the design of improvements to Paulding Road: Lafayette Street to Anthony Boulevard. Proposed improvements include existing cement concrete pavement crack/seat; curb reconstruction; bituminous overlap; surface and subsurface drainage rehabilitation; curb ramp construction. Compensation for services performed shall be a fee not to exceed $65,000.00. City Engineering recommends approval;

7. Approval of Change Order #1 and Final received from Benchmark Construction, LLC for Resolution #89-216-27, 5500 North Clinton Emergency Repair decreasing the contract price by $470.30. The original contract price was $11,864.00. The new contract including this change order is $11,393.70.

8. Approval of Change Order #1 & Final received from Hipskind Concrete, Inc. for Resolution #6857-02, Kern Valley Drive & Folsum Drive increasing the contract price by $3,341.70. The original contract price was $113,488.00. The new contract price including this change order is $116,829.70;

9. Approval of Construction Contract #6866-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Anthony Boulevard, South: Paulding Road to Fairfax Avenue in the amount of $199,999.99;

10. Approval of Construction Contract #6894-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Intersections 2002 Package 1 in the amount of $133,625.00;

11. Approval of recommendation received from Transportation Engineering Services to accept the work by Newell Construction Company Inc. on the following projects as an integral part of the City's transportation system;

    Improvement Resolution #6840-02, Chestnut Street Phase 1
    Improvement Resolution #6890-02, Chestnut Street Phase II
    Improvement Resolution #6849-02, Riverside Drive

12. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Hoevelwood Civic Association allocating $409.50 from 6th District CEDIT Funds for the installation of Entrance signs for Hoevelwood Association;

13. Approval of Professional Engineering Services Contract between the City of Fort Wayne and Lawson-Fisher Associates, PC for Hurshtown Reservoir and Cedarville Dam Emergency Action Plan. The lump sum fee for this Contract is $15,500. Planning and Design Services recommend approval.

14. Approval of Amendment #3 to the Contract for Professional Engineering Services between the City of Fort Wayne and Crossroad Engineering, PC in connection with the Inwood Drive: State to Vance Water Main Replacement. This amendment is for an additional $20,000.00 and increased the not-to-exceed amount for this Contract to $99,400.00, Planning & Design Services recommend approval;

15. Approval of Water Contract #2002-W-11 between Indiana Purdue Foundation and the Fort Wayne Water Utility to construct water main systems to serve California Road Water Main Extension located in Section 24 of Washington Township. This project is inside the City. The funding source for this project is private and Utility Capital;

16. Approval of Water Contract #2002-W-12 between Saint Therese Catholic Church and the Fort Wayne Water Utility and the City of Fort Wayne to construct water main systems to serve Liberty Drive Water Main Replacement. This project is located inside the City (PRIVATE & UTILITY CAPITAL);

17. Approval of Sewer Contract #2002-S-31 between Julie Southwood and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve 6724 Wayne Trace Phase I. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

18. Approval of Sewer Contract #650-01 between Insituform Technologies and the City of Fort Wayne for Forest Park Combination Sewer in the amount of $836,381.50;

19. Approval of Sewer Contract #678-02 between Insituform Technologies and the City of Fort Wayne for General Cured in Place Sewer in the amount of $1,063,901.00;

20. Approval of Change Order #1 and FINAL received from Maxcor for Improvement Resolution #1088-01, Brooklyn/Kinsmoor Tank Rehabilitation decreasing the contract price by $5,980.00. The original contract price was $546,300.00. The new contract price including this change order is $540,320.00;

21. Approval of Water Contract #1098-02 between Pyramid Excavating and the City of Fort Wayne for Shoaff Park Feeder Main, in the amount of $56,854.00;

22. Approval of recommendation received from Engineering Support Services to accept the work by Insituform Technologies on Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation as an integral part of the City's sewer system;

23. Approval of Full Release of Escrow received from Insituform Technologies for Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation in the amount of $61,376.05. The Escrow Agent is Harris Bank Argo;

24. Approval of Full Release of Escrow received from Fleming Excavating, Inc. on Improvement Resolution #592-1999, Southgate Phase I Sewer Project. The Escrow Agent is Decatur Bank & Trust Company;

25. Approval of General Accounting Claims in the amount of $ 3,365,101.64 ;

26. Approval of Barrett Law Claims in the amount of $ 77,173.16 ;

27. Old Business:

28. New Business:

IMPROVEMENT RESOLUTION #6901-02, Retaining Wall at Northside Dr./Glazier Ave.

IMPROVEMENT RESOLUTION #6903-02, Columbia St.: Clay St. to Railroad Viaduct

AUGUST 14, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic & Mathew Wirtz, Planning & Design Services; Greg Meszaros, Chief of Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Dan Smith, Engineering Support Services.

1. **RECEIVE BIDS:** Improvement Resolution #6899-02, 3210 Queen Street;

Newell Construction	***$17,851.00***
Engineer's Estimate	$8,787.50

Transportation Engineering Services to tabulate and report.

2. **RECEIVE BIDS:** Improvement Resolution #6900-02, Wayne Trace 4300 Block (West Side Only);

Bercot	$18,838.00
Land, Inc.	$***11,650.00***
Engineer's Estimate	$16,000.00

Transportation Engineering Services to tabulate and report.

3. **AWARD:** Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer to Bunn Excavating in the amount of $1,157,931.25 for the Base Bid. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #584-98, Bob Arnold/Northside Park Area Storm Sewer to Bunn Excavating in the amount of $1,157,931.25 for the Base Bid. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

4. **AWARD:** Improvement Resolution #1522-02, 2002 Miscellaneous Network Connection Package 1, to All Star Construction, in the amount of $35,903.00. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #1522-02, 2002 Miscellaneous Network Connection Package 1, to All Star Construction, in the amount of $35,903.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

5. Approval of Board of Public Works Minutes of August 7, 2002;
Denise Porter-Ross moved approval of Board of Public Works Minutes of August 7, 2002. Motion carried. Minutes approved.

6. Approval of Agreement between the City of Fort Wayne and CrossRoad Engineers, PC, to provide professional services for the design of improvements to Paulding Road: Lafayette Street to Anthony Boulevard. Proposed improvements include existing cement concrete pavement crack/seat; curb reconstruction; bituminous overlap; surface and subsurface drainage rehabilitation; curb ramp construction. Compensation for services performed shall be a fee not to exceed $65,000.00. City Engineering recommends approval;
Denise Porter-Ross move approval of Agreement between the City of Fort Wayne and CrossRoad Engineers, PC, to provide professional services for the design of improvements to Paulding Road: Lafayette Street to Anthony Boulevard. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

7. Approval of Change Order #1 and Final received from Benchmark Construction, LLC for Resolution #89-216-27, 5500 North Clinton Emergency Repair decreasing the contract price by $470.30. The original contract price was $11,864.00. The new contract including this change order is $11,393.70.

   Mario Trevino, Transportation Engineering Services said that this is an adjustment of final quantities.
   John Suarez moved approval of Change Order #1 and Final received from Benchmark Construction, LLC for Resolution #89-216-27, 5500 North Clinton Emergency Repair decreasing the contract price by $470.30. Motion carried. Contract price to be decreased.

8. Approval of Change Order #1 and Final received from Hipskind Concrete, Inc. for Resolution #6857-02, Kern Valley Drive & Folsum Drive increasing the contract price by $3,341.70. The original contract price was $113,488.00. The new contract price including this change order is $116,829.70;

   Mario Trevino, Transportation Engineering Services said that due to wet and unstable sub-base conditions, it was necessary to increase compacted aggregate for base "O' and common excavation.

Denise Porter-Ross moved approval of Change Order #1 and Final received from Hipskind Concrete, Inc. for Resolution #6857-02, Kern Valley Drive & Folsum Drive increasing the contract price by $3,341.70. The original contract price was $113,488.00. Motion carried. Contract price to be increased.

9. Approval of Construction Contract #6866-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Anthony Boulevard, South: Paulding Road to Fairfax Avenue in the amount of $199,999.99;
John Suarez moved approval of Construction Contract #6866-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Anthony Boulevard, South: Paulding Road to Fairfax Avenue in the amount of $199,999.99. Motion carried. Contract to be sent to City Council.

10. Approval of Construction Contract #6894-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Intersections 2002 Package 1 in the amount of $133,625.00;
John Suarez moved approval of Construction Contract #6894-02 between Key Concrete and the City of Fort Wayne for Public Sidewalk Curb Ramp Intersections 2002 Package 1 in the amount of $133,625.00. Motion carried. Contract to be sent to City Council.

11. Approval of recommendation received from Transportation Engineering Services to accept the work by Newell Construction Company Inc. on the following projects as an integral part of the City's transportation system;

Improvement Resolution #6840-02, Chestnut Street Phase 1
Improvement Resolution #6890-02, Chestnut Street Phase II
Improvement Resolution #6849-02, Riverside Drive

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work by Newell Construction Company Inc. on the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

12. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Hoevelwood Civic Association allocating $409.50 from 6th District CEDIT Funds for the installation of Entrance signs for Hoevelwood Association;
John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Hoevelwood Civic Association allocating $409.50 from 6th District CEDIT Funds for the installation of Entrance signs for Hoevelwood Association. Motion carried. Copy to be placed on file in vault.

13. Approval of Professional Engineering Services Contract between the City of Fort Wayne and Lawson-Fisher Associates, PC for Hurshtown Reservoir and Cedarville Dam Emergency Action Plan. The lump sum fee for this Contract is $15,500. Planning and Design Services recommend approval.

Mark Gensic, Planning & Design said that the services include providing a inundation map, designate a representative for the project, and file these with the State of Indiana.

John Suarez moved approval of Professional Engineering Services Contract between the City of Fort Wayne and Lawson-Fisher Associates, PC for Hurshtown Reservoir and Cedarville Dam Emergency Action Plan. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Amendment #3 to the Contract for Professional Engineering Services between the City of Fort Wayne and Crossroad Engineering, PC in connection with the Inwood Drive: State to Vance Water Main Replacement. This amendment is for an additional $20,000.00 and increased the not-to-exceed amount for this Contract to $99,400.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design said that additional services include design street improvements and investigate existing drainage/storm system.

Denise Porter-Ross moved approval of Amendment #3 to the Contract for Professional Engineering Services between the City of Fort Wayne and Crossroad Engineering, PC in connection with the Inwood Drive: State to Vance Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Water Contract #2002-W-11 between Indiana Purdue Foundation and the Fort Wayne Water Utility to construct water main systems to serve California Road Water Main Extension located in Section 24 of Washington Township. This project is inside the City. The funding source for this project is private and Utility Capital;

Jack Suter, Development Services said that said sewer to include 1,073 l.f. of water line.

Denise Porter-Ross moved approval of Water Contract #2002-W-11 between Indiana Purdue Foundation and the Fort Wayne Water Utility to construct water main systems to serve California Road Water Main Extension located in Section 24 of Washington Township. Motion carried. Water main extension to be constructed.

16. Approval of Water Contract #2002-W-12 between Saint Therese Catholic Church and the Fort Wayne Water Utility and the City of Fort Wayne to construct water main systems to serve Liberty Drive Water Main Replacement. This project is located inside the City (PRIVATE & UTILITY CAPITAL);

Jack Suter, Development Services said that this project would be located in the Waynedale Area.

Denise Porter-Ross moved approval of Water Contract #2002-W-12 between Saint Therese Catholic Church and the Fort Wayne Water Utility and the City of Fort Wayne to construct water main systems to serve Liberty Drive Water Main Replacement. Motion carried. Water main systems to be constructed.

17. Approval of Sewer Contract #2002-S-31 between Julie Southwood and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve 6724 Wayne Trace Phase I. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this project would be located near Crown Colony on the southeast side of the City and the sewer system would serve one home site.
Denise Porter-Ross moved approval of Sewer Contract #2002-S-31 between Julie Southwood and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve 6724 Wayne Trace Phase I. Motion carried. Sanitary sewer system to be constructed.

18. Approval of Sewer Contract #650-01 between Insituform Technologies and the City of Fort Wayne for Forest Park Combination Sewer in the amount of $836,381.50;
John Suarez moved approval of Sewer Contract #650-01 between Insituform Technologies and the City of Fort Wayne for Forest Park Combination Sewer in the amount of $836,381.50. Motion carried. Contract to be sent to City Council.

19. Approval of Sewer Contract #678-02 between Insituform Technologies and the City of Fort Wayne for General Cured in Place Sewer in the amount of $1,063,901.00;
John Suarez moved approval of Sewer Contract #678-02 between Insituform Technologies and the City of Fort Wayne for General Cured in Place Sewer in the amount of $1,063,901.00. Motion carried. Contract to be sent to City Council.

20. Approval of Change Order #1 and FINAL received from Maxcor for Improvement Resolution #1088-01, Brooklyn/Kinsmoor Tank Rehabilitation decreasing the contract price by $5,980.00. The original contract price was $546,300.00. The new contract price including this change order is $540,320.00;

Dan Smith, Engineering Support Services said that this Change Order is for Pit filling and girder drain holes.
Denise Porter-Ross moved Approval of Change Order #1 and FINAL received from Maxcor for Improvement Resolution #1088-01, Brooklyn/Kinsmoor Tank Rehabilitation decreasing the contract price by $5,980.00. Motion carried. Contract price to be decreased.

21. Approval of Water Contract #1098-02 between Pyramid Excavating and the City of Fort Wayne for Shoaff Park Feeder Main, in the amount of $56,854.00;
John Suarez moved approval of Water Contract #1098-02 between Pyramid Excavating and the City of Fort Wayne for Shoaff Park Feeder Main, in the amount of $56,854.00. Motion carried. Contract to be sent to City Council.

22. Approval of recommendation received from Engineering Support Services to accept the work by Insituform Technologies on Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation as an integral part of the City's sewer system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work by Insituform Technologies on Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation as an integral part of the City's sewer system. Motion carried. Acceptance letter to be sent.

23. Approval of Full Release of Escrow received from Insituform Technologies for Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation in the amount of $61,376.05. The Escrow Agent is Harris Bank Argo;
John Suarez moved approval of Full Release of Escrow received from Insituform Technologies for Improvement Resolution #648-01, North Area CIPP Sewer Rehabilitation in the amount of $61,376.05. Motion carried. Release of Escrow to be sent to the Escrow Agent.

24. Approval of Full Release of Escrow received from Fleming Excavating, Inc. on Improvement Resolution #592-1999, Southgate Phase I Sewer Project. The Escrow Agent is Decatur Bank & Trust Company;
Denise Porter-Ross moved approval of Full Release of Escrow received from Fleming Excavating, Inc. on Improvement Resolution #592-1999, Southgate Phase I Sewer Project. Motion carried. Release of Escrow to be sent to the Escrow Agent.

25. Approval of General Accounting Claims in the amount of $3,365,101.64;
John Suarez moved approval of General Accounting Claims in the amount of $3,365,101.64. Motion carried. Claims to be sent to the Department of Finance.

26. Approval of Barrett Law Claims in the amount of $77,173.15;
Denise Porter-Ross moved approval of Barrett Law Claim in the amount of $77,173.15. Motion carried.

27. Old Business:

None.

28. New Business:

IMPROVEMENT RESOLUTION #6901-02, Retaining Wall at Northside Dr./Glazier Ave.

Mario Trevino, Transportation Engineering Services said that this Resolution is to place a retaining wall at the corner of North Side Drive and Glazier Avenue by placing a poured formed reinforced concrete headwall over an existing manhole to improve confirmed space.
Denise Porter-Ross moved approval of Improvement Resolution #6901-02. Motion carried. Copy to be herein incorporated. Bids to be received on August 28, 2002.

IMPROVEMENT RESOLUTION #6903-02, Columbia St.: Clay St. to Railroad Viaduct

Mario Trevino, Transportation Engineering Services said that this improvement is for widening the southwest corner of Columbia St. & Clay St. with new concrete pavement and curbs.

John Suarez moved approval of Improvement Resolution #6903-02. Motion carried. Copy to be herein incorporated. Bids to be received on August 28, 2002.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:40 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Jack Suter & Mary Jane Slaton, Development Services; Mark Gensic & Mathew Wirtz, Planning & Design Services; Greg Meszaros, Chief of Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Mario Trevino, Transportation Engineering Services; Dan Smith, Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of July 31, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of July 31, 2002. Motion carried. Minutes approved.

2. Approval of Condemnation Resolution for the North Drive – Reed Road Storm Drainage;

Mary Jane Slaton, Development Services said that the City is unable to contact one property owner to obtain an easement on a corner of a residential property resulting in this Condemnation Resolution and that a proposed cost interests of $2,070.00. Ms. Slaton stated that a Public Hearing has been scheduled on August 28, 2002 at 10:30 a.m. as the date, time and place at which the Board shall hear remonstrances with regard to this Resolution.
John Suarez moved to approve the Condemnation Resolution for the North Drive – Reed Road Storm Drainage which sets the Public Hearing but amending Item #4 to state that the Board declares the maximum proposed cost of the interests to be acquired is $2,000.00. Motion carried. Copy to be herein incorporated. Notice to Property Owner to be sent certified mail of the hearing to be held.

3 Approval of Storm Sewer Contract #2002-ST-02 between Kamen Corporation and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve 124 West Washington Boulevard:

Jack Suter, Development Services said that said storm drainage would be located on the north side of Washington Blvd. and east of Harrison and would include 757 l.f. of storm sewer.

Denise Porter-Ross moved approval of Storm Sewer Contract #2002-ST-02 between Kamen Corporation and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve 124 West Washington Boulevard. Motion carried. Storm drainage system to be constructed.

4 Old Business:

None.

5. New Business:

Recommendation received from Engineering Support Services to accept the work performed by Land, Inc. on Improvement Resolution #638-01, Seddlemeyer Avenue Stormwater System Improvement.

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Land, Inc. on Improvement Resolution #638-01, Seddlemeyer Avenue Stormwater System Improvement. Motion carried. Acceptance letter to be sent.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

AUGUST 22, 2002

1. **RECEIVE BIDS:** Improvement Resolution #6897-02, Coombs Street Railroad Viaduct;
2. **RECEIVE BIDS:** Improvement Resolution #1521-02, Exterior Cleaning and Painting of 4 MG Southwest Concrete Ground Storage Water Tank;
3. **AWARD:** Improvement Resolution #6900-02, Wayne Trace 4300 Block (West Side Only) to Land, Inc. in the amount of $11,650.00. Contract Compliance concurs with this award;
4. Approval of Board of Public Works Minutes of August 14, 2002;
5. Approval of request for permission for Allen County employees for temporary use of parking of North and South area under viaduct (railroad elevation) between Barr Street and Lafayette Street North of Performing Arts Building. This is temporary parking for County employees during construction of new jail;
6. Approval of Change Order #1 & FINAL received from Benchmark Construction, LLC for Improvement Resolution #6829-01, Pontiac Street, decreasing the contract price by $7,542.90. The original contract price was $284,185.50. The new contract price including this change order is $276,642.60;
7. Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6856-02, Maple Grove: Calhoun St. to Lafayette St., increasing the contract price by $1,607.06. The original contract price was $126,172.40. The new contract price including this change order is $127,779.46;
8. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6858-02, Miscellaneous Construction Pkg. 5-A-02, decreasing the contract price by $1,319.06. The original contract price was $75,523.00. The new contract price including this change order is $74,203.94;
9. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6868-02, Resurfacing Package 2-2002, decreasing the contract price by $80,345.95. The original contract price was $1,283,986.70. The new contract price including this change order is $1,203,640.75;
10. Approval of Construction Contract #6898-02 between Pioneer & Associates, Inc. and the City of Fort Wayne for The Landing Improvements in the amount of $256,066.00;
11. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's transportation system;

    Res. #6709-00, SNCIP, Eastside Neighborhood – Bunn Inc.

    Res. #6835-02, Felician St. Ph. II – Key Concrete, Inc.

    Res. #6839-02, St. Martin's Street – Newell Const. Co., Inc.

    Res. #6749-01, Old Mill Road – Bunn, Inc.

    Res. #6799-02, Northway: Westbrook to N. Terminus – Hipskind Concrete

12. Approval of Water Contract #2002-W-13 between Equity Land Corp. and the Fort Wayne Water Utility to construct a water main system to serve Stone Canyon Section I. This project is outside the City (PRIVATE/UTILITY CAPITAL);

13. Approval of Sewer Contract #2002-S-32 between Canyons of North Pointe Woods, LLC and the Fort Wayne Water Pollution Control Utility to construct a sanitary sewer system to serve Canyons of North Pointe Woods Section I. This project is inside the City and in a green zone (PRIVATELY FUNDED);

14. Approval of Professional Services Agreement between the City of Fort Wayne and M. D. Wessler & Associates, Inc. for Indian Village Water Main Improvements. The not-to-exceed amount for this contract is $71,500.00. Planning & Design Services recommend approval;

15. Approval of Authorization for Release of Escrow received from Maxcor, Inc. for Contract #1088-01, Repainting & Repairing Brooklyn/Kinsmoor Elevated Water Storage Tank Project in the amount of $54,032.00. The Escrow Agent is Bank One Trust Company, N.A.;

16. Approval of recommendation received from Engineering Support Services to accept the work performed on the following projects;

Contract #2002-S-08, Hawthorne Sec. IV San. – Kurtz Excavating

Contract #2002-S-09, Hawthorne Sec. V San. – Kurtz Excavating

Contract #2002-S-11, Morgan Creek Sec. II San. – Underground Contractors

Contract #2002-S-23, Hunter's Point Sec. IV San. – Kurtz Excavating

Contract #2001-W-18, St. Joseph Ctr. Water – Underground Contractors

Contract #2002-W-11, California Rd. Water – Bercot, Inc.

Res. #89-160-11, Restoration of Water Main. Utility Cuts – Robbco, Inc.

17. Approval of Barrett Law Claims in the amount of $189,528.48;

18. Approval of General Accounting Claims in the amount of $7,854,634.31;

19. Old Business:

20. New Business:

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $50,000.00 from At-Large CEDIT Funds is allocated for capital improvements to the Memorial Park Bath House;

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $20,000.00 from At-Large CEDIT Funds is allocated for capital improvements to the Development of Pawster Park;

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $5,664.00 from 5th District CEDIT Funds is allocated for capital improvements to Miner Park Phase I to include: new drinking fountain, new fencing on west end, grading and seeding of approximately 85% of the site and demolition of aging fence and one structure;

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District whereas $22,500.00 from 1st District CEDIT Funds is allocated for The Main Street Beautification Project;

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Allen County Fort Wayne Historical Society whereas $38,000.00 from At-Large CEDIT Funds is allocated for carpeting to be replaced throughout for the Fort Wayne Historical Museum;

AUGUST 22, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, and Carolyn S. Newport, Board of Public Works; David Ross, City Engineer, Jim Howard, Associate City Attorney; Jack Suter, Development Services; Bill Simmons, Water Resources; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services. John Suarez, absent.

1. **RECEIVE BIDS:** Resolution Number 6897-02: Coombs Street Railroad Viaduct

Brooks Construction Co.	***$123,917.62***
Pioneer Associates, Inc.	$157,464.00
Primco	$139,511.99
Engineer's Estimate	$156,971.28

City Engineering to tabulate and report.

2. **RECEIVE BIDS:** Resolution Number 1521-02: Exterior Cleaning and Painting of 4 MG Southwest Concrete Ground Storage Water Tank

Baughman Industrial Painting	***$39,985.00***
Forbing-Kinder Painting	$49,960.00
National Concrete Tanks, Inc.	$75,812.00
Odle, Inc.	$45,115.00
Engineer's Estimate	$85,700.00

Engineering Support services to tabulate and report.

3. **AWARD:** Improvement Resolution #6900-02, Wayne Trace 4300 Block (West Side Only) to Land, Inc. in the amount of $11,650.00. Contract Compliance concurs with this award;

Denise Porter-Ross moved approval of award for Improvement Resolution #6900-02 to Land, Inc. in the amount of $11,650.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to tabulate and report.

4. Approval of Board of Public Works Minutes of August 14, 2002;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of August 14, 2002. Motion carried. Minutes approved.

5. Approval of request for permission for Allen County employees for temporary use of parking of North and South area under viaduct (railroad elevation) between Barr Street and Lafayette Street North of Performing Arts Building. This is temporary parking for County employees during construction of new jail;

   Denise Porter-Ross moved approval of request for permission for Allen County employees for temporary use of parking of North and South area under viaduct (railroad elevation) between Barr Street and Lafayette Street North of Performing Arts Building. Motion carried. Copy to be place on file in vault.

6. Approval of Change Order #1 & FINAL received from Benchmark Construction, LLC for Improvement Resolution #6829-01, Pontiac Street, decreasing the contract price by $7,542.90. The original contract price was $284,185.50. The new contract price including this change order is $276,642.60;

   Mario Trevino, Transportation Engineering Services said that shows a reflection of quantities used to complete project.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Benchmark Construction, LLC for Improvement Resolution #6829-01, Pontiac Street, decreasing the contract price by $7,542.90. Motion carried. Contract price to be decreased.

7. Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6856-02, Maple Grove: Calhoun St. to Lafayette St., increasing the contract price by $1,607.06. The original contract price was $126,172.40. The new contract price including this change order is $127,779.46;

   Mario Trevino, Transportation Engineering Services stated that after the project was bid, it was decided that the city would put in all new drainage castings in the new curb lines and asphalt pavement, rather than just tie into existing castings which increased the new manhole casting Type "A" Furn. And adjusted to grade.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6856-02, Maple Grove: Calhoun St. to Lafayette St., increasing the contract price by $1,607.06. Motion carried. Contract price to be increased.

8. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6858-02, Miscellaneous Construction Pkg. 5-A-02, decreasing the contract price by $1,319.06. The original contract price was $75,523.00. The new contract price including this change order is $74,203.94;

Mario Trevino, Transportation Engineering Services stated that this change order shows a reflection of quantities used to complete project.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6858-02, Miscellaneous Construction Pkg. 5-A-02, decreasing the contract price by $1,319.06. Motion carried. Contract price to be increased.

9. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6868-02, Resurfacing Package 2-2002, decreasing the contract price by $80,345.95. The original contract price was $1,283,986.70. The new contract price including this change order is $1,203,640.75;

   Mario Trevino, Transportation Engineering Services stated that this change order shows a reflection of quantities used to complete the project.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6868-02, Resurfacing Package 2-2002, decreasing the contract price by $80,345.95. Motion carried. Contract price to be decreased.

10. Approval of Construction Contract #6898-02 between Pioneer & Associates, Inc. and the City of Fort Wayne for The Landing Improvements in the amount of $256,066.00;

    Denise Porter-Ross moved approval of Construction Contract #6898-02 between Pioneer & Associates, Inc. and the City of Fort Wayne for The Landing Improvements in the amount of $256,066.00. Motion carried. Contract to be sent to City Council.

11. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's transportation system;

    Res. #6709-00, SNCIP, Eastside Neighborhood – Bunn Inc.

    Res. #6835-02, Felician St. Ph. II – Key Concrete, Inc.

    Res. #6839-02, St. Martin's Street – Newell Const. Co., Inc.

    Res. #6749-01, Old Mill Road – Bunn, Inc.

    Res. #6799-02, Northway: Westbrook to N. Terminus – Hipskind Concrete

    Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work on the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

12. Approval of Water Contract #2002-W-13 between Equity Land Corp. and the Fort Wayne Water Utility to construct a water main systems to serve Stone Canyon Section I. This project is outside the City (PRIVATE/UTILITY CAPITAL);

Jack Suter, Development Services said that this 100 lot development is north of Bass but near the intersection of Bass & Kinsmoor. Said water line to include 871 l.f. of 6" ductile iron pipe, 3365 l.f of 8" ductile iron pipe, 13-fire hydrants, 100-1" water service connections. This contract is a reimbursement contract and the City is contributing in the oversizing.

Denise Porter-Ross moved approval of Water Contract #2002-W-13 between Equity Land Corp. and the Fort Wayne Water Utility to construct a water main system to serve Stone Canyon Section I. Motion carried. Water main systems to be constructed.

13. Approval of Sewer Contract #2002-S-32 between Canyons of North Pointe Woods, LLC and the Fort Wayne Water Pollution Control Utility to construction a sanitary sewer system to serve Canyons of North Pointe Woods Section I. This project is inside the City and in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this development is near St. Joe River near Leo Road and would include 3,640 of 8" VC Pipe; and 14 manholes.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-32 between Canyons of North Pointe Woods, LLC and the Fort Wayne Water Pollution Control Utility to construct a sanitary sewer system to serve Canyons of North Pointe Woods Section I. Motion carried. Sanitary sewer system to be constructed.

14. Approval of Professional Services Agreement between the City of Fort Wayne and M. D. Wessler & Associates, Inc. for Indian Village Water Main Improvements. The not-to-exceed amount for this contract is $71,500.00. Planning & Design Services recommend approval;

Matt Wirtz, Planning & Design apprised the Board of the following: this development is located southwest of downtown Fort Wayne and has been experiencing rusty water. The improvement is completing water main improvements by replacing existing water mains (approx. 6,120 LF) in the southwest area of Indian Village. Also included in the scope of work is a design study to evaluate alternative means for completing improvements to the water system in the remainder of Indian Village area.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and M. D. Wessler & Associates, Inc. for Indian Village Water Main Improvements. The not-to-exceed amount for this contract is $71,500.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Authorization for Release of Escrow received from Maxcor, Inc. for Contract #1088-01, Repainting & Repairing Brooklyn/Kinsmoor Elevated Water Storage Tank Project in the amount of $54,032.00. The Escrow Agent is Bank One Trust Company, N.A.;

Denise Porter-Ross moved approval of Authorization for Release of Escrow received from Maxcor, Inc. for Contract #1088-01, Repainting & Repairing Brooklyn/Kinsmoor Elevated Water Storage Tank Project in the amount of $54,032.00. Motion carried. Authorization for Release of Escrow to be sent to the Escrow Agent.

16. Approval of recommendation received from Engineering Support Services to accept the work performed on the following projects;

Contract #2002-S-08, Hawthorne Sec. IV San. – Kurtz Excavating

Contract #2002-S-09, Hawthorne Sec. V San. – Kurtz Excavating

Contract #2002-S-11, Morgan Creek Sec. II San. – Underground Contractors

Contract #2002-S-23, Hunter's Point Sec. IV San. – Kurtz Excavating

Contract #2001-W-18, St. Joseph Ctr. Water – Underground Contractors

Contract #2002-W-11, California Rd. Water – Bercot, Inc.

Res. #89-160-11, Restoration of Water Main. Utility Cuts – Robbco, Inc.

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed on the following projects. Motion carried. Acceptance letters to be sent.

17. Approval of Barrett Law Claims in the amount of $189,528.48;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $189,528.48. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

18. Approval of General Accounting Claims in the amount of $7,854,634.31;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $7,854,634,31. Motion carried. General Accounting Claims to be sent to the Department of Finance.

19. Old Business:

None.

20. New Business:

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $50,000.00 from At-Large CEDIT Funds is allocated for capital improvements to the Memorial Park Bath House;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $50,000.00 from At-Large CEDIT Funds is allocated for capital improvements to the Memorial Park Bath House. Motion carried. Copy to be placed on file in vault.

Approval of Agreement between the City of Fort Wayne Board of Pubic Works and the Fort Wayne Parks and Recreation Department whereas $20,000.00 from At-

Large Funds is allocated for capital improvements to the Development of Pawster Park;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Pubic Works and the Fort Wayne Parks and Recreation Department whereas $20,000.00 from At-Large Funds is allocated for capital improvements to the Development of Pawster Park. Motion carried Copy to be placed on file in vault.

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $5,664.00 from 5th District CEDIT Funds is allocated for capital improvements to Miner Park Phase I to include: new drinking fountain, new fencing on west end, grading and seeding of approximately 85% of the site and demolition of aging fence and one structure;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department whereas $5,664.00 from 5th District CEDIT Funds is allocated for capital improvements to Miner Park Phase I. Motion carried. Copy to be placed on file in vault.

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District whereas $22,500.00 from 1st District CEDIT Funds is allocated for The Main Street Beautification Project;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District whereas $22,500.00 from 1st District CEDIT Funds is allocated for The Main Street Beautification Project. Motion carried. Copy to be placed on file in vault.

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Allen County Fort Wayne Historical Society whereas $38,000.00 from At-Large CEDIT Funds is allocated for carpeting to be replaced throughout for the Fort Wayne Historical Museum;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Allen County Fort Wayne Historical Society whereas $38,000.00 from At-Large CEDIT Funds is allocated for carpeting to be replaced throughout for the Fort Wayne Historical Museum. Motion carried. Copy to be placed on file in vault.

Meeting adjourned at

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

CITY OF FORT WAYNE

GRAHAM RICHARD, MAYOR

NOTICE OF CHANGE OF PUBLIC WORKS MEETING & BOARD OF STORMWATER MANAGEMENT MEETING DATE

The regularly scheduled meeting of the Board of Public Works Meeting and Board of Stormwater Management Board for Wednesday 8/21/02 has been cancelled and rescheduled for Thursday 8/22/02 at 9:00 a.m. in the Omni Room, Room 250, in the City-County Building, One Main Street, Fort Wayne, Indiana.

Carolyn S. Newport, Clerk
Board of Public Works

August 16, 2002

BOARD OF PUBLIC WORKS AGENDA

AUGUST 28, 2002

1. **RECEIVE BIDS:** Improvement Resolution #1110-02, Old Mill Road Water Main Replacement;
2. **RECEIVE BIDS:** Improvement Resolution #6901-02, Retaining Wall at North Side Drive/Glazier Avenue;
3. **RECEIVE BIDS:** Improvement Resolution #6903-02, Columbia Street: Clay to Railroad Viaduct;
4. Approval of Board of Public Works Minutes of August 22, 2002;
5. **AWARD:** Improvement Resolution #6897-02, Coombs Street Railroad Viaduct to Brooks Construction Co., Inc. in the amount of $123,917.62. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**
6. **AWARD:** Improvement Resolution #1521-02, Exterior Cleaning and Painting of 4 MG Southwest Concrete Ground Storage Water Tank to Baughman Industrial Painting in the amount of $39,985.00. Contract Compliance concurs with this award;
7. Approval of Amendment #1 to Agreement to Professional Services Agreement between the Board of Public Works and Schenkel Shultz, Architects for Design and Bid Document Preparation for the Northeast Street Department Garage at Rothman Road and Young Road;
8. Approval of Second Amendment to Interlocal Agreement between the Board of Public Works and Fort Wayne Public Transportation Corporation, d/b/a Citilink;
9. Approval of Offer to Purchase Real Estate received from Samaritan Ministries, Inc. for City of Fort Wayne Property at 1519 Hurd St., Lot #38 in the amount of $150.00;
10. Approval of Construction Contract #6892-02 between Hipskind Concrete Corp and the City of Fort Wayne for Liberty Development in the amount of $120,542.00;
11. Approval of Construction Contract #6886-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coldwater Road & Washington Center Road Intersection in the amount of $530,369.51;
12. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's transportation system;

    Res. #6820-01, Misc. Const. Pkg. 6-A-01 – Hipskind Concrete Corp.

    Res. #6829-02, Pontiac Street – Benchmark Const. LLC

    Res. #6846-02, Misc. Const. Pkg. 3-A-02 – Hipskind Concrete Corp.

    Res. #6851-02, Main St. – 600 Block Sidewalk on the North Side - Hipskind

    Res. #6857-02, Kern Valley Dr. & Folsum Drive – Hipskind Concrete Corp.

13. **IMPROVEMENT RESOLUTION #681-2002,** Inwood Drive Combination Sewer Rehabilitation;

14. Approval of Construction Contract #584-98 between Bunn Excavating and the City of Fort Wayne for Bob Arnold/Northside Park Storm Sewer Project in the amount of $1,157,931.25 and Escrow Agreement for same. Tower Bank is the Escrow Agent;

15. Approval of Construction Contract #1522-02, 2002 Miscellaneous Network Connections – Pkg. 1 between All Star Construction and the City of Fort Wayne in the amount $35,903.00;

16. Approval of Amendment #1 for Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Osage Avenue Combination Sewer Rehabilitation. The contract amount for this Amendment is a not-to-exceed amount of $23,413.21 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

17. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Third Street Combination Sewer Rehabilitation. The contract amount for this report is a not-to-exceed amount of $41,969.52 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

18. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Andrew Street Combination Sewer Rehabilitation. The contract amount for this report is a not-to-exceed amount of $28,196.72 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

19. Approval of Professional Services Agreement between the City of Fort Wayne and Eton/Cutler-Hammer for Forensic and Engineering Study of the CSO Pump Station on Lake Avenue. The total compensation for this contract is a not-to-exceed fee of $10,000.00. Engineering Support Services recommend approval;

20. Approval of Change Order #1 & FINAL received from Insituform Technologies for Contract #649-01, South Area Cured-In-Place Sewer Rehabilitation decreasing the contract price by $82,531.00. The original contract price was $1,206,659.00. The new contract price including this change order is $1,124,128.00;

21. Approval of Contract between the City of Fort Wayne and eMapping Sollutions for Time & Materials for Web Mapping Applications. This project will be billed at $125/hour and will not exceed 12 hours or a $1,500.00 total project cost;

22. Approval of recommendation received from Engineering Support Services to accept the work performed by Maxcor, Inc. on Res. #1099-01, Repainting & Repairing of the Brooklyn-Kinsmoor Elevated Water Storage Tank;

23. Approval of Authorization for Release of Escrow received from Geiger Excavating, Inc. for Contract #1085-01, Colony Drive Water Main Replacement in the amount of $19,974.92. Tower Bank is the Escrow Agent;

24. Approval of General Accounting Claims in the amount of $12,304,060.79;

25. Approval of Barrett Law Claims in the amount of $54,557.94;

26. Old Business:

27. New Business:

Approval of Assessment Roll for Improvement Resolution #6853-02, Misc. Const. Pkg. 1-A-2002. Property Owners have waived their right to a public hearing;

BOARD OF STORMWATER MANAGEMENT AGENDA

AUGUST 28, 2002

1. Approval of Board of Stormwater Management Minutes of August 14, 2002;

2. Approval of Amendment to Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for The Royal Oaks Area Stormwater System Improvements. The not-to-exceed cost of the original Agreement was $172,002.00. Approval of this amendment will increase that amount by $22,500.00 to a not-to-exceed cost of $194,502.00. Planning & Design Services recommend approval;

3. Old Business:

4. New Business:

AUGUST 28, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Associate City Attorney; Kevin Holle, GIS; Ron Sheppard & Bill Maxwell, Engineering Support Services; Bill Simmons, Water Resources; Mick Hicks, Mike Thornson, and Matthew Wirtz, Planning & Design; John Suarez, absent.

1. **RECEIVE BIDS:** Resolution Number 1110-02: Old Mill Road—Water Main Replacement

BIDDER	BASE BID— DIP	ALTERNATE BID— HDPE
All Star Construction	$----------	$145,680.00
Dafforn Excavating	***$----------***	***$137,507.00***
Engineer's Estimate	**$148,500.00**	**$148,500.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** Resolution Number 6901-02: Retaining Wall at North Side Drive/Glazier Ave

Brooks Construction Company	$17,729.00
Pioneer Associates	***$15,714.00***
Engineer's Estimate	**$16,065.00**

Transportation Engineering Services to tabulate and report.

3. **RECEIVE BIDS:** Resolution Number 6903-02: Columbia Street: Clay Street to Railroad Viaduct

Brooks Construction Company	***$13,925.50***

Pioneer Associates	$27,978.00
Engineer's Estimate	**$7,947.00**

Transportation Engineering Services to tabulate and report.

4. Approval of Board of Public Works Minutes of August 22, 2002;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of August 22, 2002. Motion carried. Minutes approved.

5. **AWARD:** Improvement Resolution #6897-02, Coombs Street Railroad Viaduct to Brooks Construction Co., Inc. in the amount of $123,917.62. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED;**

   Denise Porter-Ross moved approval of award for Improvement Resolution #6897-02 to Brooks Construction Co., Inc. in the amount of $123,917.61. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

6. **AWARD:** Improvement Resolution #1521-02, Exterior Cleaning and Painting of 4 MG Southwest Concrete Ground Storage Water Tank to Baughman Industrial Painting in the amount of $39,985.00. Contract Compliance concurs with this award;

   Denise Porter-Ross moved approval of award for Improvement Resolution #1521-02 to Baughman Industrial Painting in the amount of $39,985.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

7. Approval of Amendment #1 to Agreement to Professional Services Agreement between the Board of Public Works and Schenkel Shultz, Architects for Design and Bid Document Preparation for the Northeast Street Department Garage at Rothman Road and Young Road;

   Shelli Young, Property Manager, apprised the Board of the following: the scope of services for this project was changed during final design; and the project was re-bid with a reduced scope of construction. An addendum was added to the bid to construct a salt dome at the site. It is now necessary to amend said Agreement for Professional Services to incorporate said changes.

   Denise Porter-Ross moved approval of Amendment #1 to Agreement to Professional Services Agreement between the Board of Public Works and Schenkel Shultz, Architects for Design and Bid Document Preparation for the Northeast Street Department Garage at Rothman Road and Young Road. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

8. Approval of Offer to Purchase Real Estate received from Samaritan Ministries, Inc. for City of Fort Wayne Property at 1519 Hurd St., Lot #38 in the amount of $150.00;

   Shelli Young, Property Manager apprised the Board of the following: the Samaritan Ministries, Inc. is constructing a new building. Allen County owned three out of the four sites where the building is to be constructed. The City is selling their property for the same price that was requested by the County.

Denise Porter-Ross moved approval of Offer to Purchase Real Estate received from Samaritan Ministries, Inc. for City of Fort Wayne Property at 1519 Hurd St., Lot #38 in the amount of $150.00. Motion carried. Copy to be placed on file in vault.

9. Approval of Construction Contract #6892-02 between Hipskind Concrete Corp and the City of Fort Wayne for Liberty Development in the amount of $120,542.00;

Denise Porter-Ross moved approval of Construction Contract #6892-02 between Hipskind Concrete Corp and the City of Fort Wayne for Liberty Development in the amount of $120,542.00. Motion carried. Contract to be sent to City Council.

10. Approval of Construction Contract #6886-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coldwater Road & Washington Center Road Intersection in the amount of $530,369.51;

Denise Porter-Ross moved approval of Construction Contract #6886-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coldwater Road & Washington Center Road Intersection in the amount of $530,369.51. Motion carried. Contract to be sent to City Council.

11. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's transportation system;

Res. #6820-01, Misc. Const. Pkg. 6-A-01 – Hipskind Concrete Corp.

Res. #6829-02, Pontiac Street – Benchmark Const. LLC

Res. #6846-02, Misc. Const. Pkg. 3-A-02 – Hipskind Concrete Corp.

Res. #6851-02, Main St. – 600 Block Sidewalk on the North Side

Res. #6857-02, Kern Valley Dr. & Folsum Drive – Hipskind Concrete Corp.

Denise Porter-Ross moved to accept the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

12. **IMPROVEMENT RESOLUTION #681-2002,** Inwood Drive Combination Sewer Rehabilitation;

Denise Porter Ross moved approval of IMPROVEMENT RESOLUTION #681-2002, Inwood Drive Combination Sewer Rehabilitation. Motion carried. Copy to be herein incorporated. Bids to be received on 8/18/02.

13. Approval of Construction Contract #584-98 between Bunn Excavating and the City of Fort Wayne for Bob Arnold/Northside Park Storm Sewer Project in the amount of $1,157,931.25 and Escrow Agreement for same. Tower Bank is the Escrow Agent;

Denise Porter-Ross moved approval of Construction Contract #584-98 between Bunn Excavating and the City of Fort Wayne for Bob Arnold/Northside Park Storm Sewer Project in the amount of $1,157,931.25 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council.

14. Approval of Construction Contract #1522-02, 2002 Miscellaneous Network Connections – Pkg. 1 between All Star Construction and the City of Fort Wayne in the amount $35,903.00;

Denise Porter-Ross moved approval of Construction Contract #1522-02, 2002 Miscellaneous Network Connections – Pkg. 1 between All Star Construction and the City of Fort Wayne in the amount $35,903.00. Motion carried. Notice to proceed to be sent.

15. Approval of Amendment #1 for Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Osage Avenue Combination Sewer Rehabilitation. The contract amount for this Amendment is a not-to-exceed amount of $23,413.21 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

Mike Hicks, Planning & Design Services, said that this Amendment consists of extended the scope of work to include 800 additional feet of 30" combination sewer.

Denise Porter-Ross moved approval of Amendment #1 for Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Osage Avenue Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Third Street Combination Sewer Rehabilitation. The contract amount for this report is a not-to-exceed amount of $41,969.52 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

Mike Hicks, Planning & Design Services said that the project consists of approximately 1,240 lf of 20", 24" and 36" VCP combination sewer. The existing sewer is in poor structural shape.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Third Street Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Andrew Street Combination Sewer Rehabilitation. The contract amount for this report is a not-to-exceed amount of $28,196.72 with the design and construction to be completed by the end of 2002. Planning & Design Services recommend approval;

Mike Hicks, Planning & Design, stated that this is for the engineering report for the design of the rehabilitation of approximately 800 LF of 20" VCP combination sewer.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and American Consulting, Inc. for the engineering report of the Andrew Street Combination Sewer Rehabilitation. Motion carried. Copy to be placed on file in vault. Noticed to proceed to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Eton/Cutler-Hammer for Forensic and Engineering Study of the CSO Pump Station on Lake Avenue. The total compensation for this contract is a not-to-exceed fee of $10,000.00. Engineering Support Services recommend approval;

Ron Sheppard, Engineering Support Services said the investigation shall provide the City with information as to the performance of the resistor bank motor drive and associated equipment.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Eton/Cutler-Hammer for Forensic and Engineering Study of the CSO Pump Station on Lake Avenue. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Change Order #1 & FINAL received from Insituform Technologies for Contract #649-01, South Area Cured-In-Place Sewer Rehabilitation decreasing the contract price by $82,531.00. The original contract price was $1,206,659.00. The new contract price including this change order is $1,124,128.00;

Ron Sheppard, Engineering Support Services said that this change order is for a final quantities adjustment.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Insituform Technologies for Contract #649-01, South Area Cured-In-Place Sewer Rehabilitation decreasing the contract price by $82,531.00. Motion carried. Contract price to be decreased.

20. Approval of Contract between the City of Fort Wayne and eMapping Solutions for Time & Materials for Web Mapping Applications. This project will be billed at $125/hour and will not exceed 12 hours or a $1,500.00 total project cost;

Kevin Holle, Manager of GIS stated that this work may include a variety of network, software, training, application development, web development, and consulting activities.

Denise Porter-Ross moved approval of Contract between the City of Fort Wayne and eMapping Solutions for Time & Materials for Web Mapping Applications. This project will be billed at $125/hour and will not exceed 12 hours or a $1,500.00 total project cost.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Maxcor, Inc. on Res. #1099-01, Repainting & Repairing of the Brooklyn-Kinsmoor Elevated Water Storage Tank;

Denise Porter-Ross moved to accept the work performed by Maxcor, Inc. on Res. #1099-01, Repainting & Repairing of the Brooklyn-Kinsmoor Elevated Water Storage Tank. Motion carried. Acceptance letter to be sent.

22. Approval of Authorization for Release of Escrow received from Geiger Excavating, Inc. for Contract #1085-01, Colony Drive Water Main Replacement in the amount of $19,974.92. Tower Bank is the Escrow Agent;

Denise Porter-Ross moved approval of Authorization for Release of Escrow received from Geiger Excavating, Inc. for Contract #1085-01, Colony Drive Water Main Replacement in the amount of $19,974.92. Motion carried. Authorization for Release of Escrow sent to the Escrow Agent.

23. Approval of General Accounting Claims in the amount of $12,304,060.79

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $12,304,060.79. Motion carried. General Accounting Claims to be sent to the Department of Finance.

24. Approval of Barrett Law Claims in the amount of $54,557.94;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $54,557.94. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

25. Old Business:

None.

26. New Business:

Approval of Assessment Roll for Improvement Resolution #6853-02, Misc. Const. Pkg. 1-A-2002. Property Owners have waived their right to a public hearing;

Denise Porter-Ross moved approval of Assessment Roll for Improvement Resolution #6853-02, Misc. Const. Pkg. 1-A-2002. Motion carried. Assessments to be sent.

David Ross, City Engineer, presented the Board of Works the Agreement for Legal Services for the St. Joe Center Road from St. Joe Road to Reed Road and for the Ardmore Avenue to Indiana Rd. & Intersection at Lower Huntington Road.

David Ross stated that after these agreements are executed, they will be sent to the Indiana Department of Transportation who would request the federal funds to be authorized.

Denise Porter-Ross moved approval of Agreement for Legal Services for the St. Joe Center Road and Ardmore Avenue projects. Motion carried. Copies to be placed on file in vault.

David Ross, City Engineer, presented the Board with Supplemental Agreement No. 1 between the City of Fort Wayne and CrossRoad Engineers PC in connection with the design phase of the Paulding Road: Lafayette Street to Anthony Blvd. Project.

David Ross stated that this Supplement Agreement is for additional services that were requested by the City for the design and plan preparation for the replacement of the water main from Lafayette Street to Decatur Road.

Denise Porter-Ross moved approval of Supplemental Agreement No. 1 between the City of Fort Wayne and CrossRoad Engineers PC in connection with the design phase of the Paulding Road: Lafayette Street to Anthony Blvd. Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 9:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

August 28, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, Mary Jane Slaton & Nancy Townsend, Planning & Design; Ron Sheppard, Engineering Support Services Marj Enders, Barrett Law Accountant. John Suarez, absent.

ATTEST: Carolyn S. Newport, Clerk

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #1089-02, Hacienda Village Water Main Extension. Nancy Townsend is the Project Manager.

   Nancy Townsend explained the scope of the project.

   Marj Enders, Barrett Law Account explained the Barrett Law process.
   Denise Porter-Ross moved to confirm the Assessment Ross for Improvement Resolution #1089-02, Hacienda Water Main Extension. Motion carried. Assessments to be sent.

Hearing adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

AUGUST 28, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Associate City Attorney; Kevin Holle, GIS; Ron Sheppard & Bill Maxwell, Engineering Support Services; Bill Simmons, Water Resources; Mick Hicks, Mike Thornson, and Matthew Wirtz, Planning & Design; John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of August 14, 2002;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of August 14, 2002. Motion carried.

2. Approval of Amendment to Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for The Royal Oaks Area Stormwater System Improvements. The not-to-exceed cost of the original Agreement was $172,002.00. Approval of this amendment will increase that amount by $22,500.00 to a not-to-exceed cost of $194,502.00. Planning & Design Services recommend approval;

Mike Thornson, Planning & Design, said that this amendment provides for additionally surveying necessitated by (a) restrictions upon the State-controlled nature preserve which blocks the outfall route of the proposed eastward storm sewer; and (b) additional information provided by aggrieved property owners in a recent neighborhood meeting which warrants investigation for possible incorporation into the proposed improvements.
Denise Porter-Ross moved approval of Amendment to Professional Services Agreement between the City of Fort Wayne and Paul I. Cripe, Inc. for The Royal Oaks Area Stormwater System Improvements. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

August 28, 2002

Board of Stormwater Management
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise Porter-Ross, Member; Mary Jane Slaton, Development Services. John Suarez, absent.

1. Public Hearing for Resolution to Appropriate and Condemn real property for use by the City of Fort Wayne, Indiana for the construction of North Drive - Reed Road Storm Drainage Improvement.

   Mary Jane Slaton, Development Services, explained that a Certified Letter was sent to Wade A. Walker, the only property owner that this condemnation that would affect and it was returned because the property owner had moved and had not left a forwarding address. **Denise Porter-Ross moved to confirm Resolution to Appropriate and Condemn real property for use by the City of Fort Wayne for the construction of North Drive - Reed Road Storm Drainage Improvement. Motion carried. Project to proceed.**

Ted Rhinehart, Member

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

SEPTEMBER 4, 2002

1. Approval of Board of Public Works Minutes of August 28, 2002 and Public Hearing Minutes of Improvement Resolution #1089-01, Hacienda Village Water Main Extension;

2. **AWARD:** Improvement Resolution #6901-02, Retaining Wall at Northside Drive/Glazier Avenue to Pioneer Associates in the amount of $15,714.00. Contract Compliance concurs with this award;

3. **AWARD:** Improvement Resolution #6903-02, Columbia St.: Clay St. to Railroad Viaduct to Brooks Construction Co., Inc. in the amount of $13,925.15. Contract Compliance concurs with this award;

4. **IMPROVEMENT RESOLUTION #6887-02,** Miscellaneous Construction Package 2-A-02;

5. **IMPROVEMENT RESOLUTION #6904-02,** Parkwest Center Access to Illinois Road, South;

6. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6877-02, Public Sidewalk Curb Ramps 2001-, Pkg. II increasing the contract price by $6,167.45. The original contract price was $112,178.00. The new contract price including this change order is $118,345.45;

7. Approval of Change Order #1 & FINAL received from E & B Paving, Inc. for Improvement Resolution #6833-02, Resurfacing Pkg. A-2002 decreasing the contract price by $52,065.33. The original contract price was $744,212.45. The new contract price including this change order is $692,147.12;

8. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6855-02, Curb Ramp Pkg. 4-02 increasing the contract price by $30,109.75. The original contract price was $92,330.00. The new contract price including this change order is $122,439.75;

9. Approval of Change Order #2 & FINAL received from Brooks Construction Co., Inc. for improvement Resolution #6883-02, North Anthony Blvd. – Reversible left turn lane increasing the contract price by $11,752.99. The original contract price was $110,504.00. The new contract price including this change order is $129,006.99;

10. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6893-02, Ardmore Avenue: Lower Huntington Rd. to Covington Road decreasing the contract price by $14,838.97. The original contract price was $323,110.30. The new contract price including this change order is $308,271.33;

11. Approval of Construction Contract #6897-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coombs Street Railroad Viaduct in the amount of $123,914.62;

12. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Hipskind Concrete Corp. on Improvement Resolution #6857-02, Kern Valley Drive and Folsum Drive as an integral part of the City's transportation system;

13. Approval of Project Management Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for WPCP Primary Clarifiers and 85 MGD Upgrades to the Water Pollution Control Plant. The total compensation for services will not exceed $165,900.00. Planning & Design Services recommend approval;

14. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Three Rivers Filtration Plant Telemetry Improvements Phase I. The not-to-exceed amount for this Contract is $43,914.00. Planning & Design Services recommend approval;

15. Approval of Water Contract #2002-W-15 between Canyons Pointe L.L.C. and the Fort Wayne Water Utility to construct water main systems to serve Canyons of North Pointe Woods Section I. This project is inside the City (PRIVATELY FUNDED);

16. Approval of Water Contract #2002-W-16 between Chapel Ridge and the Fort Wayne Water Utility and the City of Fort Wayne to construct a water main system to serve Chapel Ridge. This project is outside the City of Fort Wayne (PRIVATELY FUNDED);

17. Approval of recommendation to accept the work performed by Frontier Contractors on Sewer Contract #2002-S-10, Sandy Pointe Commercial North as an integral part of the City's sanitary sewer system;

18. Approval of Barrett Law Claims in the amount of $ 9,660.72 ;

19. Approval of General Accounting Claims in the amount of $ 11,593,000.76 ;

20. Old Business:

21. New Business:

Approval of Agreement between the City of Fort Wayne Board of Public Works and The Downtown Improvement District whereas the Board of Public Works agrees to allocate $10,000.00 from At-Large CEDIT funds for The Main Street Beautification Project;

Recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-07, Morgan Creek Sec. I and on Water Contract #2002-W-08, Hunters Point Sec. IV as an integral part of the City's water distribution system;

Approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group in connection with the West Jefferson Blvd. Trail Project. The total fee shall be revised to $183,300.00, an increase of $34,600.00;

Update from Dawn Ritchie, Solid Waste Manager on the Recycling Grant and this year's river cleanup;

SEPTEMBER 4, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOW; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Jim Howard, Associate City Attorney; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jack Suter, Development Services; Dawn Ritchie, Solid Waste Manager; Charles Bailey, Contract Compliance. John Suarez, absent.

1. Approval of Board of Public Works Minutes of August 28, 2002 and Public Hearing Minutes of Improvement Resolution #1089-01, Hacienda Village Water Main Extension;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of August 28, 2002 and Public Hearing Minutes of Improvement Resolution #1089-01, Hacienda Village Water Main Extension. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #6901-02, Retaining Wall at Northside Drive/Glazier Avenue to Pioneer Associates in the amount of $15,714.00. Contract Compliance concurs with this award;

   Denise Porter-Ross moved approval of award for Improvement Resolution #6901-02, Retaining Wall at Northside Drive/Glazier Avenue to Pioneer Associates in the amount of $15,714.00. Contract Compliance concurs with this award. Motion carried. Notice of award to be sent.

3. **IMPROVEMENT RESOLUTION #6887-02,** Miscellaneous Construction Package 2-A-02;

   Mario Trevino, Transportation Engineering Services, stated that this improvement is for the following: sidewalk improvements at 5611 Kipling Ct. and 5012 Maple Terrace Parkway; curb & drive improvements at 5601 Trishlyn Cove; drive approach improvements at 2808 Clara Avenue; concrete repairs at the intersection of Rothmere and Norward; sidewalk improvements at 4131 Old Mill Rd.: drive approach improvement at 1701 Randalia Drive; ADA ramps at the intersection of Lake Ave. and Randalia Drive; Arlington Park Walkway Wall restoration.

   Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6887-02, Miscellaneous Construction Package 2-A-02. Motion carried. Copy to be herein incorporated. Bids to be received on 9/18/02.

4. **IMPROVEMENT RESOLUTION #6904-02,** Parkwest Center Access to Illinois Road, South;

David Ross, City Engineer, explained that this improvement is for Parkwest Center Access to Illinois Road South by new asphalt driveway approach with compacted aggregate base, culvert pipe and other related roadway work.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6904-02, Parkwest Center Access to Illinois Road, South. Motion carried. Copy to be herein incorporated.

5. Approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6877-02, Public Sidewalk Curb Ramps 2001-, Pkg. II increasing the contract price by $6,167.45. The original contract price was $112,178.00. The new contract price including this change order is $118,345.45;

Mario Trevino, Transportation Engineering Services, stated that this Change Order is necessary due to additional concrete wingwalk and ramps due to an additional corner requested because of damage to a concrete corner and also due to additional castings.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Key Concrete for Improvement Resolution #6877-02, Public Sidewalk Curb Ramps 2001-, Pkg. II increasing the contract price by $6,167.45. Motion carried. Contract price to be increased.

6. Approval of Change Order #1 & FINAL received from E & B Paving, Inc. for Improvement Resolution #6833-02, Resurfacing Pkg. A-2002 decreasing the contract price by $52,065.33. The original contract price was $744,212.45. The new contract price including this change order is $692,147.12;

Mario Trevino, Transportation Engineering Services, said that this Change Order reflects quantities used to complete the project.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from E & B Paving, Inc. for Improvement Resolution #6833-02, Resurfacing Pkg. A-2002 decreasing the contract price by $52,065.33. Motion carried. Contract price to be decreased.

7. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6855-02, Curb Ramp Pkg. 4-02 increasing the contract price by $30,109.75. The original contract price was $92,330.00. The new contract price including this change order is $122,439.75;

Mario Trevino, Transportation Engineering Services, said that this Change Order is necessary due to ramp design changes, project engineer's estimate low on certain items, and emergency repair on sanitary caused project over run.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6855-02, Curb Ramp Pkg. 4-02 increasing the contract price by $30,109.75. Motion carried. Contract price to be increased.

8. Approval of Change Order #2 & FINAL received from Brooks Construction Co., Inc. for improvement Resolution #6883-02, North Anthony Blvd. – Reversible left turn lane increasing the contract price by $11,752.99. The original contract price was $110,504.00. The new contract price including this change order is $129,006.99;

   Mario Trevino, Transportation Engineering Services said that this Change Order is necessary because additional concrete pavement, pavement markings and additional miscellaneous items were necessary once the project was underway. Mr. Trevino said that striping changes were made to the plan in order to channel the flow of traffic more efficiently.

   Denise Porter-Ross moved approval of Change Order #2 & FINAL received from Brooks Construction Co., Inc. for improvement Resolution #6883-02, North Anthony Blvd. – Reversible left turn lane increasing the contract price by $11,752.99. Motion carried. Contract price to be increased.

9. Approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6893-02, Ardmore Avenue: Lower Huntington Rd. to Covington Road decreasing the contract price by $14,838.97. The original contract price was $323,110.30. The new contract price including this change order is $308,271.33;

   Mario Trevino, Transportation Engineering Services said that this change order reflects final quantities.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Brooks Construction Co., Inc. for Improvement Resolution #6893-02, Ardmore Avenue: Lower Huntington Rd. to Covington Road decreasing the contract price by $14,838.97. Motion carried. Contract price to be decreased.

10. Approval of Construction Contract #6897-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coombs Street Railroad Viaduct in the amount of $123,914.62;

    Denise Porter-Ross moved approval of Construction Contract #6897-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for Coombs Street Railroad Viaduct in the amount of $123,914.62. Motion carried. Contract to be sent to City Council.

11. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Hipskind Concrete Corp. on Improvement Resolution #6857-02, Kern Valley Drive and Folsum Drive as an integral part of the City's transportation system;

    Denise Porter-Ross moved to accept the work performed by Hipskind Concrete Corp. on Improvement Resolution #6857-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

12. Approval of Project Management Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for WPCP Primary Clarifiers and 85 MGD Upgrades to the Water Pollution Control Plant. The total compensation for services will not exceed $165,900.00. Planning & Design Services recommend approval;

Greg Meszaros, Chief of Engineering, apprised the Board of the following: this agreement is for CH2M Hill to provide management, planning, design review and cost estimating services on this project for which Donohue & Associates is the lead designer. This Agreement is for the preliminary engineering through final design phase of the project and does not include Bidding and Award and Construction Management Services. Such services may be added when the final scope and schedule of the construction project is defined.

Denise Porter-Ross moved approval of Project Management Services Agreement between the City of Fort Wayne and CH2M Hill, Inc. for WPCP Primary Clarifiers and 85 MGD Upgrades to the Water Pollution Control Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. Approval of Water Contract #2002-W-15 between Canyons Pointe L.L.C. and the Fort Wayne Water Utility to construct water main system to serve Canyons of North Pointe Woods Section I. This project is inside the City (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this 38-lot development is adjacent to North Pointe Woods. Said water line to include 155 L.F. of 6" Ductile Iron Pipe, 1685 LF of 8" Ductile Iron Pipe, and 1100 L.F. of 12" Ductile Iron Pipe.

Denise Porter Ross moved approval of Water Contract #2002-W-15 between Canyons Pointe L.L.C. and the Fort Wayne Water Utility to construct water main systems to serve Canyons of North Pointe Woods Section I. Motion carried. Water main system to be constructed.

14. Approval of Water Contract #2002-W-16 between Chapel Ridge and the Fort Wayne Water Utility and the City of Fort Wayne to construct a water main system to serve Chapel Ridge. This project is outside the City of Fort Wayne (PRIVATELY FUNDED);

Jack Suter said that this development is in St. Joe Township and said water line to include: 6039 L.F. of 12" Ductile Iron Pipe.

Denise Porter-Ross moved approval of Water Contract #2002-W-16 between Chapel Ridge and the Fort Wayne Water Utility and the City of Fort Wayne to construct a water main system to serve Chapel Ridge. This project is outside the City of Fort Wayne (PRIVATELY FUNDED);

15. Approval of recommendation to accept the work performed by Frontier Contractors on Sewer Contract #2002-S-10, Sandy Pointe Commercial North as an integral part of the City's sanitary sewer system;

Denise Porter-Ross moved to accept the work performed by Frontier Contractors on Sewer Contract #2002-S-10, Sandy Pointe Commercial North as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

16. Approval of Barrett Law Claims in the amount of $9,660.72;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $9,660.72. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

17. Approval of General Accounting Claims in the amount of $11,593,000.26;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $11,593,000.26. Motion carried. General Accounting Claims to be sent to the Department of Finance.

18. Old Business:

None.

19. New Business:

Approval of Agreement between the City of Fort Wayne Board of Public Works and The Downtown Improvement District whereas the Board of Public Works agrees to allocate $10,000.00 from At-Large CEDIT funds for The Main Street Beautification Project;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and The Downtown Improvement District whereas the Board of Public Works agrees to allocate $10,000.00 from At-Large CEDIT funds for The Main Street Beautification Project. Motion carried. Copy to be placed on file in vault.

Recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-07, Morgan Creek Sec. I and on Water Contract #2002-W-08, Hunters Point Sec. IV as an integral part of the City's water distribution system;

Denise Porter-Ross moved to accept the work performed by Kurtz Excavating on Water Contract #2002-W-07 and Water Contract #2002-W-08. Motion carried. Acceptance letters to be sent.

Approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group in connection with the West Jefferson Blvd. Trail Project. The total fee shall be revised to $183,300.00, an increase of $34,600.00;

David Ross, apprised the Board that Bonar Group will be performing the additional tasks:

Additional surveying & design services to extend the pedestrian/bicycle pathway to Lindenwood Avenue.

Additional surveying in Swinney Park for trailway connection and fill offset area.

Revise design plans in accordance with INDOT requirements as it relates to the City being awarded Enhancement Funds from the Indiana Department of Transportation.

Denise Porter-Ross moved approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group in connection with the West Jefferson Blvd. Trail Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Dawn Ritchie, Solid Waste Manager gave a update on the Recycling Grant and this year's river cleanup.

Ms. Ritchie apprised the Board of the following: the City Solid Waste Department has received a Recycling Grant from the Department of Environmental Management (IDEM). There has been a drop in recycling in certain areas in Fort Wayne and the City Solid Waste Department is promoting a recycling program with the grant money that was received from IDEM. This promotion is being focused on the central Fort Wayne neighborhoods by school assemblies, involvement with the media, commercials, and advertising on billboards.

Dawn also gave an update on this year's River Cleanup and stated that there were 30 groups that participated in this event on July 27, 2002 an another one is scheduled on September 14, 2002.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS AGENDA

SEPTEMBER 10, 2002

1. **AWARD:** Improvement Resolution #1110-02, Old Mill Road: Fairfax to Pettit Water Main Replacement to Dafforn Excavating in the amount of $137,507.70. Contract Compliance concurs with this award.

2. Approval of Board of Works Minutes of September 4, 2002;

3. Approval of Second Amendment to Interlocal Agreement between the City of Fort Wayne and Fort Wayne Public Transportation Corporation, d/b/a Citilink;

4. Approval of Agreement between the City of Fort Wayne and RQAW to provide professional services for the design of improvements to Indianapolis Road. Proposed improvements include: reconstruction to reduce alignment curvature, new street lighting, landscaping. Compensation for services performed shall be a fee not-to-exceed $70,000. City Engineering recommends approval;

5. Approval of Construction Contract #6900-02 between Land, Inc. and the City of Fort Wayne for Wayne Trace 4300 Block (West side only) in the amount of $11,650.00;

6. Approval of Change Order #1 and FINAL received from Hipskind Concrete for Improvement Resolution #6854-02, Sherwood Terrace: Hartman to Stratford, increasing the contract amount by $4,520.89. The original contract price was $113,568.75. The new contract price including this change order is $118,089.64;

7. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Company on Improvement Resolution #6787-01: Evard and Saint Joe Road Intersection;

8. Approval of Change Order #1 & FINAL received from Robert Henry Corporation for Improvement Resolution #273-01, Arcadia Court/Englewood Court decreasing the contract amount by $196.98. The original contract price was $18,283.00. The new contract price including this change order is $18,086.02;

9. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Phase I of Telemetry Improvements at the Three Rivers Filtration Plant. The not-to-exceed amount for this contract is $43,914.00;

10. **Improvement Resolution #652-01:** Water Pollution Control Plant CSO Pond Dredging;

11. **Improvement Resolution #1112-02**: Burns Boulevard Water Main Replacement;

12. Approval of Water Contract #2002-W-18 between the Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve for Air Guard Fuel Cell Building—Water Main Extension. This project is located inside the City (Privately Funded);

13. Approval of Sewer Contract #2002-S-33 between Somerset Land Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hickory Pointe Section I. This project is outside the City and in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

14. Approval of Sewer Contract #2002-S-34 between BTA #12 LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bridgedale Terrace Apartments Building 35. This project is inside the City and in a green zone (PRIVATELY FUNDED);

15. Approval of Change Order #1 & Final received from Indiana Construction Company for Improvement Resolution #585-98, Pleasant Avenue Pump Station decreasing the contract amount by $5,182.00. The original contract price is $1,816,994.00. The new contract price including this change order is $1,881,812.00;

16. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-15, Seven Oaks Section VI Phase I & 2 Sanitary; and the work performed by Frontier Contractor on Water Contract #2002-W-05, Sandy Pointe Commercial North Water;

17. Approval of City Utilities write-off of miscellaneous delinquent accounts in the amount of $25.00;

18. Approval of write-off of City Utilities revenue accounts for the month of June, 2002 in the amount of $20,170.40;

19. Approval of Claims in the amount of $_____;

20. Old Business:

21. New Business:

(I) Emergency Resolution for the repair of a 12" RCP storm line on Edgeknoll Lane;

(II) Approval of recommendation received from Engineering Support Services to accept the work performed by Robert E. Crosby, Inc. on Sewer Contract #2002-S-02, Fort Wayne Transportation Facility @ Rothman Road;

(III) Approval of Resolution #1525-2002, Three Rivers Filtration Plant High Pumping Electrical Equipment;

BOARD OF STORMWATER MANAGEMENT

SEPTEMBER 10, 2002

1. Approval of Board of Stormwater Management Minutes of August 28, 2002 and Public Hearing Minutes for Resolution to Appropriate and Condemn real property for use by the City of Fort Wayne for the construction of North Drive – Reed Road Storm Drainage Improvement;

2. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the Farwood-Hystone Improvement, Ramirez Sanitary Sewer Component. The cost for services to be provided under this agreement is a not-to-exceed total of $6,000.00. Planning & Design Services recommend approval;

3. Old Business:

4. New Business:

SEPTEMBER 10, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 3:00 P.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jack Suter, Development Services; Carl Wilson, Contract Compliance; Mike Thornson, Mick Hicks, Doug Fasick, Ethel Morgan, Planning & Design; Chet Shastri, Water Filtration Plant.

1. **AWARD:** Improvement Resolution #1110-02, Old Mill Road: Fairfax to Pettit Water Main Replacement to Dafforn Excavating in the amount of $137,507.70. Contract Compliance concurs with this award.
   John Suarez moved approval of award for Improvement Resolution #1100-02, Old Mill Road to Dafforn Excavating in the amount of $137,507.70. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

2. Approval of Board of Works Minutes of September 4, 2002;
   Denise Porter-Ross moved approval of Board of Works Minutes of September 4, 2002. Motion carried. Minutes approved.

3. Approval of Agreement between the City of Fort Wayne and RQAW to provide professional services for the design of improvements to Indianapolis Road. Proposed improvements include: reconstruction to reduce alignment curvature, new street lighting, landscaping. Compensation for services performed shall be a fee not-to-exceed $70,000. City Engineering recommends approval;

   Ted Rhinehart said that this project is being performed as part of a Redevelopment Bond issue.
   Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and RQAW to provide professional services for the design of improvements to Indianapolis Road. Motion carried. Copy to be placed on file in vault.

4. Approval of Construction Contract #6900-02 between Land, Inc. and the City of Fort Wayne for Wayne Trace 4300 Block (West side only) in the amount of $11,650.00;

Denise Porter-Ross moved approval of Construction Contract #6900-02 between Land, Inc. and the City of Fort Wayne for Wayne Trace 4300 Block (West side only) in the amount of $11,650.00. Motion carried. Notice to proceed to be sent.

5. Approval of Change Order #1 and FINAL received from Hipskind Concrete for Improvement Resolution #6854-02, Sherwood Terrace: Hartman to Stratford, increasing the contract amount by $4,520.89. The original contract price was $113,568.75. The new contract price including this change order is $118,089.64;

   Mario Trevino, Transportation Engineering Services, apprised the Board of the following: after concrete was removed, it was determined that a large tree would need to removed which added a cost to the project. Also, to eliminate a existing drainage problem at the intersection of Crestwood, it was determined a new catch basin was needed on the south side of Sherwood Terrance and also the scope of project was increased to include 150 LF of curbs on Crestwood at the property owners request. This increase extended the completion date by 5 days.
   Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Hipskind Concrete for Improvement Resolution #6854-02, Sherwood Terrace: Hartman to Stratford, increasing the contract amount by $4,520.89. Motion carried. Contract price to be increased.

6. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Company on Improvement Resolution #6787-01: Evard and Saint Joe Road Intersection;
   John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Company on Improvement Resolution #6787-01: Evard and Saint Joe Road Intersection. Motion carried. Acceptance letter to be sent.

7. Approval of Change Order #1 & FINAL received from Robert Henry Corporation for Improvement Resolution #273-01, Arcadia Court/Englewood Court decreasing the contract amount by $196.98. The original contract price was $18,283.00. The new contract price including this change order is $18,086.02;
   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Robert Henry Corporation for Improvement Resolution #273-01, Arcadia Court/Englewood Court decreasing the contract amount by $196.98. Motion carried. Contract price to be increased.

8. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Phase I of Telemetry Improvements at the Three Rivers Filtration Plant. The not-to-exceed amount for this contract is $43,914.00;

   Ethel Morgan, Planning & Design, apprised the Board of the following: essentially this contract is Phase I of a large-scale telemetry replacement program. This phase will evaluate the line of site between the remote equipment and the Water Filtration Plant receiving tower. The second part of this contract specifies that we

can make new equipment that the City proposes to install over time to operate efficiently with existing equipment that will still be operating.

Ted Rhinehart inquired if this contract includes the actual design documents to bid the telemetry for the St. Joe Dam Automation?

Ethel Morgan stated that it does not and said that it will be a separate contract. Ms. Morgan said that the piece with the St. Joe Dam is to make sure that whatever equipment the City chooses to install can work with the existing equipment at the Water Treatment Plant now.

Ted Rhinehart said that he felt that there should be more discussion regarding this and that the Board should have a picture view of what telemetry work is out there, what is planned, why, and what is the budget over time.

Greg Meszaros, Chief of Engineering, stated that Donohue completed work on a Telemetry Master Plan where the City prioritized various areas to telemetry and identified some of these issues that need to integrate the existing old telemetry system with the new system, perform the radio path study, and to know that everything can reach the plant successfully from all the areas that we want to telemetry that have no telemetry now. Mr. Meszaros said that they would sit down with the Board and paint a more integrated picture of how that would come together and how this first phase fits in with that.

Ted Rhinehart said that the top priority was to get St. Joe Dam automated.

Greg Meszaros stated that one of the deliverables of this project was to perform a task of the new technologies that we would use to update telemetry at the St. Joe Dam and other facilities and how that would or would not plug in to all the existing technology infrastructure that we have at the Plant.

Denise Porter-Ross inquired if there was a time schedule involved.

Ethel Morgan stated that the big issue is that the line of site study has to be completed while leaves are on the trees and there is one or two firms capable of doing that work and it depends on there availability and their scheduling.

Greg Meszaros suggested that the Board give a verbal approval at this time for the line of path study and hold off on moving forward with additional work and make sure that the City has the right priority sequencing.
Denise Porter-Ross moved approval of the scope of design services for the line of path study with a not-to-exceed fee of $25,000.00. Motion carried. Agreement to be prepared to include only these services.

9. **Improvement Resolution #1112-02**: Burns Boulevard Water Main Replacement;

Matthew Wirtz, Planning & Design, said that this Resolution orders the construction of approximately 1,555 LF of 6" water main, 3 fire hydrants, and 27 services.

John Suarez moved approval of Improvement Resolution #1112-02: Burns Boulevard Water Main Replacement. Motion carried. Bids to be received on October 2, 2002.

10. Approval of Water Contract #2002-W-18 between the Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve for Air Guard Fuel Cell Building—Water Main Extension. This project is located inside the City (Privately Funded);

Jack Suter, Development Services, stated that this project is located on the east side of Baer Field and said water line to include 495 LF of 6" ductile iron pipe,

Denise Porter-Ross moved approval of Water Contract #2002-W-18 between the Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve for Air Guard Fuel Cell Building—Water Main Extension. Motion carried. Water main systems to be constructed.

11. Approval of Sewer Contract #2002-S-33 between Somerset Land Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hickory Pointe Section I. This project is outside the City and in a green zone. This contract contains provisions for Waiver of Remonstrance against annexation (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that this 14-acre development contains 50 lots and said sewer system to include 1,577 lf of 8" & 1,082 lf of 10" PVC SDR 35. This contract is subject to ERU fees.

John Suarez moved approval of Sewer Contract #2002-S-33 between Somerset Land Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hickory Pointe Section I. Motion carried. Sanitary sewer system to be constructed.

12. Approval of Sewer Contract #2002-S-34 between BTA #3 LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bridgedale Terrace Apartments Building 35. This project is inside the City and in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this sewer would serve two apartment buildings in the Waynedale area. Said sewer to include 156 L.F. of 8" PVC SDR 35 pipe.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-34 between BTA #3 LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Bridgedale Terrace Apartments Building 35. Motion carried. Sanitary sewer system to be constructed.

13. Approval of Change Order #1 & Final received from Indiana Construction Company for Improvement Resolution #585-98 decreasing the contract amount by $5,182.00. The original contract price is $1,816,994.00. The new contract price including this change order is $1,881,812.00;

Ron Sheppard, Engineering Support Services, said that this change order is a quantities final adjustment.
John Suarez moved approval of Change Order #1 & Final received from Indiana Construction Company for Improvement Resolution #585-98 decreasing the contract amount by $5,182.00. Motion carried. Contract price to be decreased.

14. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-15, Seven Oaks Section VI Phase I & 2 Sanitary; and the work performed by Frontier Contractor on Water Contract #2002-W-05, Sandy Pointe Commercial North Water;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Sewer Contract #2001-S-15, Seven Oaks Section VI Phase I & 2 Sanitary; and the work performed by Frontier Contractor on Water Contract #2002-W-05, Sandy Pointe Commercial North Water. Motion carried. Acceptances to be sent.

15. Approval of City Utilities write-off of miscellaneous delinquent accounts in the amount of $25.00;
John Suarez moved approval of City Utilities write-off of miscellaneous delinquent accounts in the amount of $25.00. Motion carried. Write-off to be sent to a collection agency.

16. Approval of write-off of City Utilities revenue accounts for the month of June, 2002 in the amount of $20,170.40;
John Suarez moved approval of write-off of City Utilities revenue accounts for the month of June 2002 in the amount of$20,170.40. Motion carried. Write-off to be sent to a collection agency.

17. Old Business:

None.

18. New Business:

(I) Emergency Resolution for the repair of a 12" RCP storm line on Edgeknoll Lane;

Mike Hicks, Planning & Design, apprised the Board of the following: an existing 12" RCP storm line has collapsed along the easement at 216 Edgeknoll Lane and is beyond the capability of the WPC Maintenance Department to perform. All Star Inc., Dafforn Excavating, and Fleming Excavating were invited to submit quotes on the repair. The cost of said repairs could exceed $25,000.00.
John Suarez moved approval of Emergency Resolution for the repair of a 12" RCP storm line on Edgeknoll Lane. Motion carried. Copy to be herein incorporated. Purchasing Dept. to issue emergency purchase order.

(II) Approval of recommendation received from Engineering Support Services to accept the work performed by Robert E. Crosby, Inc. on Sewer Contract #2002-S-02, Fort Wayne Transportation Facility @ Rothman Road;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Robert E. Crosby, Inc. on Sewer Contract #2002-S-02, Fort Wayne Transportation Facility @ Rothman Road. Motion carried. Acceptance letter to be sent.

(III) Approval of Resolution #1525-2002, Three Rivers Filtration Plant High Pumping Electrical Equipment;

Ethel Morgan, Planning & Design Services, said that time is of the essence and in order to complete the installation and testing of the equipment, it is necessary to order electrical equipment in October 2002. Ms. Morgan said that the estimated costs for two transformers, two variable frequency drives, and two pump motors are $480,000.00.
John Suarez moved approval of Resolution #1525-2002. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 3:45 p.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 3:45 P.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Ron Sheppard & Bill Maxwell, Engineering Support Services; Jack Suter, Development Services; Carl Wilson, Contract Compliance; Mike Thornson, Mick Hicks, Doug Fasick, Ethel Morgan, Planning & Design; Chet Shastri, Water Filtration Plant.

1. Approval of Board of Stormwater Management Minutes of August 28, 2002 and Public Hearing Minutes for Resolution to Appropriate and Condemn real property for use by the City of Fort Wayne for the construction of North Drive - Reed Road Storm Drainage Improvement;
Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of August 28, 2002 and Public Hearing Minutes for Resolution to Appropriate and Condemn real property for use by the City of Fort Wayne for the construction of North Drive – Reed Road Storm Drainage Improvement. Motion carried. Minutes approved.

2. Approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the Farwood-Hystone Improvement, Ramirez Sanitary Sewer Component. The cost for services to be provided under this agreement is a not-to-exceed total of $6,000.00. Planning & Design Services recommend approval;

   Mike Thornson, Planning & Design, apprised the Board of the following: under this Agreement Bonar Group will provide drawings and specifications for a sanitary sewer extension to serve properties along the 6200 block of Decatur Road. These improvements will be incorporated in the proposed Farwood Avenue-Hystone Drive Storm Sewer Improvement Project, currently projected for bid in late October of this year.
   Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Bonar Group for the Farwood-Hystone Improvement, Ramirez Sanitary Sewer Component. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

3. Old Business:

   None.

4. New Business:

None.

Meeting adjourned at 10:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

SEPTEMBER 19, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Greg Meszaros, Chief of Engineering; Ron Sheppard, Engineering Support Services; Jack Suter, Nancy Townsend, & Mary Jane Slaton, Development Services; Carl Wilson & Charles Bailey, Contract Compliance; Mick Hicks & Doug Fasick, Planning & Design; Mark Kolander, Fleet Management; Ned Brier, City Utilities Accounting; Jim Howard, Associate City Attorney; John Perlich, Public Information Officer; Ken Nicolet, Utilities Service Manager; Justin Bruegger & Michele Nelson, Administrative Assistants, Board of Public Works. Ted Rhinehart, absent.

1. **RECEIVE BIDS:** RESOLUTION #6887-02: MISCELLANEOUS PACKAGE 2-A-02

Hipskind Concrete	***$37,303.00***
Engineer's Estimate	$26,874.00

Transportation Engineering Services to tabulate and report.

2. **RECEIVE BIDS:** RESOLUTION #6904-02: PARKWEST CENTER ACCESS TO ILLINOIS ROAD

BIDDER	BASE BID	ALT BID TOTAL
Benchmark Construction	$22,280.00	***$20,280.00***
Brooks Construction Company, Inc.	$23,000.10	$24,102.10
E & B Paving	***$19,912.59***	$20,500.02
Wayne Asphalt	$31,358.05	$27,000.00
Engineer's Estimate	$24,274.21	$24,274.21

City Engineering to tabulate and report.

3. **RECEIVE BIDS:** RESOLUTION #681-02: INWOOD DRIVE COMBINATION SEWER REHABILITATION

Environmental Pipeliners	$190,025.00
Insituform	$167,300.00
Reynolds	***$112,701.00***
U-Liner Mid-America	$231,800.00
Engineer's Estimate	$125,000.00

Engineering Support Service to tabulate and report.

4. Approval of Board of Works Minutes of September 10, 2002;

John Suarez moved approval of Board of Works Minutes of September 10, 2002. Motion carried. Minutes approved.

5. Approval to correct an administrative mistake from 1999 and correct the deed from Don Ayres in connection with land located at 4740 Lima Road;

Shelli Young, Property Manager, explained that it is necessary to correct the warranty deed on the above-mentioned property to read Don Ayres instead of the City of Fort Wayne since Don Ayres made the final payment to NBD Bank for this parcel of property.

John Suarez moved approval to correct an administrative mistake from 1999 and correct the deed from Don Ayres in connection with land located at 4740 Lima Road. Motion carried. Deed to be prepared.

6. **AWARD:** Automated Meter Reading System to ABB Water Meters, Inc.;

Jim Howard, Associate City Attorney, apprised the Board of the following: a team has been working for several years to approve the efficiency of meter reading. Two proposals were submitted for this system and ABB Water Meters, Inc. was $20.00 lower per unit. The project total with 1-year implementation plant is $10,962,473.38.

John Suarez inquired about Article 3 – 3.3 which states that the Purchaser shall provide suitable areas for storage of the Contractors materials and equipment during the course of the work unless otherwise agreed in writing by the parties.

Ned Byrer, Associate Director of City Utilities, said that this consists of a facility to hold the meters and one person to monitor the meters.

John Suarez moved approval of award for Automated Meter Reading System to ABB Water Meters, Inc. Motion carried. Contract to be sent to City Council.

7. Approval of **RESOLUTION** authorizing negotiations for a Fuel Card Service Contract;

Mark Kolander, Fleet Manager, apprised the Board of the following: the City desires to contract for a Fuel Card System that will allow certain designated vehicles to be fueled at locations other than the present City fuel site at the complex on Lafayette Street. The system is to first be piloted specifically for Street Department Vehicles and equipment located at the North Barn located at 7607 Young Road. With a successful pilot program, the off-site usage could be extended to other departments.

This Resolution allows contract negotiations between the City Fleet Management Department and Professional Fleet Services, LLC.

John Suarez moved approval of RESOLUTION authorizing negotiations for a Fuel Card Service Contract. Motion carried. Copy to be herein incorporated.

8. Approval for City Utilities to enter into an agreement with E-Money Systems for the purpose of electronic bill payment services;

Phil Giaquinta, Customer Service Manager, City Utilities, apprised the Board of the following; City Utilities is seeking approval from the Board of Works to enter into an agreement with E-Money Systems for the purpose of electronic bill payment services. Under this agreement, citizens will be able to pay their water bill through our Interactive Voice Response phone system by check or credit card. The fee, paid by the customer, is $1.00 if paid by check, and $1.95 ($100 maximum payment) if pay by credit card.

Through E-Money Systems, citizens will also be able to pay their bill over the internet. The fee, paid by the customer, is $1.95 ($100 maximum payment).

John Suarez moved approval for City Utilities to enter into an agreement with E-Money Systems for the purpose of electronic bill payment services. Motion carried. Agreement to be placed on file in vault.

9. Approval of Change Order #1 & FINAL received from Michael Kinder & Sons, Inc. for Emergency Pavement Repair: 2700 block Tyler Avenue decreasing the contract price by $55.33. The original contract price was $11,308.88. The new contract price including this change order is $11,253.55;

John Suarez moved approval of Change Order #1 & FINAL received from Michael Kinder & Sons, Inc. for Emergency Pavement Repair: 2700 block Tyler Avenue decreasing the contract price by $55.33. Motion carried. Contract price to be decreased.

10. Approval of Change Order #1 & FINAL received from Newell Construction, Inc. for Improvement Resolution #6838-02, Azalea Drive: Bethany to Bayberry increasing the contract price by $2,819.70. The original contract price was $124,197.20. The new contract price including this change order is $127,016.90;

Mario Trevino, Transportation Engineering Services, said that this Change Order adjusts contract quantities to reflect improvements constructed.

John Suarez moved approval of Change Order #1 & FINAL received from Newell Construction, Inc. for Improvement Resolution #6838-02, Azalea Drive: Bethany to Bayberry increasing the contract price by $2,819.70. Motion carried. Contract price to be increased.

11. Approval of Change Order #1 (FINAL) received from Key Concrete, Inc. for Improvement Resolution #6879-02, Public Sidewalk Curb Ramp Pkg. 3-2002 increasing the contract price by $4,316.80. The original contract price was $77,732.40. The new contract price including this change order is $82,049.20;

    Mario Trevino, Transportation Engineering Services, said that additional 4" concrete sidewalk, concrete curb type III, and additional bed course material were needed causing this increase.

    John Suarez moved approval of Change Order #1 (FINAL) received from Key Concrete, Inc. for Improvement Resolution #6879-02, Public Sidewalk Curb Ramp Pkg. 3-2002 increasing the contract price by $4,316.80. Motion carried. Contract price to be increased.

12. Approval of Construction Contract #6897-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for the Coombs Street Railroad Viaduct in the amount of $123,914.62;

    John Suarez moved approval of Construction Contract #6897-02 between Brooks Construction Co., Inc. and the City of Fort Wayne for the Coombs Street Railroad Viaduct in the amount of $123,914.62. Motion carried. Contract to be sent to City Council.

13. Approval of Construction Contract #6901-02 between Pioneer Associates Inc. and the City of Fort Wayne for the Retaining Wall at Northside Drive/Glazier Avenue in the amount of $15,714.00;

    John Suarez moved approval of Construction Contract #6901-02 between Pioneer Associates Inc. and the City of Fort Wayne for the Retaining Wall at Northside Drive/Glazier Avenue in the amount of $15,714.00. Motion carried. Notice to proceed to be sent.

14. Approval of Assessment Roll for Improvement Resolution #6847-02, Misc. Construction Pkg. 3-B-02. Property owners have waived their right to a public hearing;

    John Suarez moved approval of Assessment Roll for Improvement Resolution #6847-02, Misc. Construction Pkg. 3-B-02. Motion carried. Assessment notices to be sent.

15. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. for Improvement Resolution #6877-02, Curb Ramps Package 11-2002 as an integral part of the City's transportation system;

John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. for Improvement Resolution #6877-02, Curb Ramps Package 11-2002 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

16. **IMPROVEMENT RESOLUTION # 1542-2002,** North Maumee Interceptor Cleaning;

Mike Hicks, Planning & Design, said that the project consists of cleaning a total of 3,908 lf of 48", 72" and 84" of the North Maumee Sanitary Sewer Interceptor.

Mr. Hicks said that this is a pilot project and along with the cleaning, these sections will be televised.

John Suarez moved approval of Improvement Resolution #1542-2002. Motion carried. Copy to be herein incorporated. Bids to be received on October 2, 2002;

17. Approval of Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers for Parkerdale Sanitary Sewer Extension Study. The not-to-exceed amount for this contract is $28,600.00. Planning & Design Services recommend approval;

Nancy Townsend, Planning & Design, apprised the Board of the following: this project involves the investigation of the viability of providing sanitary sewer service to an area off of St. Joe Road. This sewer would serve 110 to 115 homes and a business. There will be a series to meetings with the neighborhoods to explain the scope of the proposed work.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Commonwealth Engineers for Parkerdale Sanitary Sewer Extension Study. The not-to-exceed amount for this contract is $28,600.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. Approval of Sewer Contract #2002-S-16 between Reinig Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sandy Pointe Offsite. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, apprised the Board of the following: this development is at the intersection of Dupont & Auburn Roads. Said sewer would serve 19 properties and would include 1.700 lf of 8" PVC pipe. This is a reimbursement contract.

John Suarez moved approval of Sewer Contract #2002-S-16 between Reinig Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sandy Pointe Offsite. Motion carried. Sanitary sewer to be constructed.

19. Approval of Sewer Contract #2002-S-30 between Hot Realty and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Congressional Industrial Park II Phase I. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this 5-acre industrial site is on West Goshen Road and would include 450 lf of 8" PVC pipe.

John Suarez moved approval of Sewer Contract #2002-S-30 between Hot Realty and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Congressional Industrial Park II Phase I. Motion carried. Sanitary sewer to be constructed.

20. Approval of Sewer Contract #2002-S-35 between Wal-Mart Stores, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sam's Club Outlot. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that said sewer to be located on Lima Road and would include 476 l.f. of 8" PVC pipe.

John Suarez moved approval of Sewer Contract #2002-S-35 between Wal-Mart Stores, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sam's Club Outlot. Motion carried. Sanitary sewer to be constructed

21. Approval of Sewer Contract #2002-S-36 between Phoenix Manner L.P. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer to serve Phoenix Manner Apartments. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this development is located in the central City and would serve 29 one-bedroom apts. and 21 two-bedroom apts. Said sewer to include 704 lf of 18" PVC pipe.

John Suarez moved approval of Sewer Contract #2002-S-36 between Phoenix Manner L.P. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer to serve Phoenix Manner Apartments. Motion carried. Sanitary sewer to be constructed.

22. Approval of Water Contract #2002-W-14 between Somerset Land Development, LLC and the Fort Wayne Water Utility to construct water main systems to serve Hickory Pointe Section I. This project is outside the City PRIVATELY FUNDED;

Jack Suter, Development services said that this 50-lot development is located on Bass Road and said water line to include 626 lf of 6" ductile iron pipe, 866 lf of 8" ductile iron pipe, and 1963 lf of 16" ductile iron pipe. Mr. Suter said the City would pay for oversizing.

John Suarez moved approval of Water Contract #2002-W-14 between Somerset Land Development, LLC and the Fort Wayne Water Utility to construct water main systems to serve Hickory Pointe Section I. Motion carried. Water main systems to be constructed.

23. Approval of Encroachment License Agreement between the City of Fort Wayne and Winfield Moses, Jr. to allow existing structures to remain within a utility easement on Taylor Street;

Mary Jane Slaton, Development Services stated that this Encroachment License Agreement acknowledges an existing encroachment into the Board's utility easement.

John Suarez moved approval of Encroachment License Agreement between the City of Fort Wayne and Winfield Moses, Jr. to allow existing structures to remain within a utility easement on Taylor Street. Motion carried. Copy to be sent to the Allen County Recorders Office.

24. Approval of Escrow Agreement received from Insituform Technologies for Improvement Resolution #583-1998, Forest Park Combination Sewer Rehabilitation. The Escrow Agent is Harris Bank Argo;

John Suarez moved approval of Escrow Agreement received from Insituform Technologies for Improvement Resolution #583-1998, Forest Park Combination Sewer Rehabilitation. Motion carried. Copy to be sent to the Escrow Agent.

25. Approval of Escrow Agreement received from Insituform Technologies for Improvement Resolution #678-02, General CIPP 2002. The Escrow Agent is Harris Bank Argo;

John Suarez moved approval of Escrow Agreement received from Insituform Technologies for Improvement Resolution #678-02, General CIPP 2002. Motion carried. Copy to be sent to the Escrow Agent.

26. Approval of recommendation received from Engineering Support Services to accept the work performed by Indiana Construction on Res. #617-00, WPC Plant Water System Improvements, by Mel Graber Excavating on Sewer Contract #2002-S-27, Casa Verde Sanitary Extension – Saylor Property, and by Scheidleman Excavating, Inc. on Contract #2002-S-13, Falcon Creek Section VI Sanitary;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Indiana Construction on Res. #617-00, WPC Plant Water System Improvements, by Mel Graber Excavating on Sewer Contract #2002-S-27, Casa Verde Sanitary Extension – Saylor Property, and by Scheidleman Excavating, Inc. on Contract #2002-S-13, Falcon Creek Section VI Sanitary. Motion carried. Acceptance letters to be sent.

27. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks & Recreation Department whereas the Board of Public Works agrees to allocate $25,000.00 from At-large CEDIT Funds for Playground Equipment for Klug Park;

John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks & Recreation Department whereas the Board of Public Works agrees to allocate $25,000.00 from At-large CEDIT Funds for Playground Equipment for Klug Park. Motion carried. Copy to be placed on file in vault.

28. Approval of Barrett Law Claims in the amount of $1,088,926.75;

John Suarez moved approval of Barrett Law Claims in the amount of $1,088,926.75. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

29. Approval of General Accounting Claims for the week of September 11, 2002 in the amount of $2,496,009.31 and the week of September 18, 2002 in the amount of $9,339,218.63;

John Suarez moved approval of General Accounting Claims for the week of September 11, 2002 in the amount of $2,496,009.31 and the week of September 18, 2002 in the amount of $9,339,218.63. Motion carried. Claims to be sent to the Department of Finance.

30. Old Business:

Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Three Rivers Filtration Plant Telemetry Improvements – Phase I Radio Path Study. The cost for these services shall be not-to-exceed $18,600.00;

Doug Fasick, Planning & Design, said that this Agreement is for the first step in the upgrade process and the information obtained by the radio path testing is needed in order to perform detailed design of the upgrades for the individual dam, pump station, and elevated tank site, in addition to the plant and repeater site, in subsequent phases.

John Suarez moved approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates, Inc. for Three Rivers Filtration Plant Telemetry Improvements – Phase I Radio Path Study. The cost for these services shall be not-to-exceed $18,600.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

31. New Business:

RESOLUTION designating an authorized Representative for West Jefferson Blvd. Greenway Extension Project.

David Ross, City Engineer, said that the City of Fort Wayne is the lead applicant for a TEA 21 Grant from the Indiana Department of Transportation on the above-mentioned project and federal and state requirements also allow the lead applicant to designate an authorized representative to assume primary responsibility for coordination of the required determination of effect resulting in this Resolution.

John Suarez moved approval of RESOLUTION designating an authorized Representative for West Jefferson Blvd. Greenway Extension Project. Motion carried. Copy to be herein incorporated.

Approval of Change Order #3 for Improvement Resolution #6804-01, West Jefferson Blvd. – Viaduct to St. Mary's River increasing the contract price by $18,704.70. The original contract price was $1,276,716.77. The new contract price including this change order is $1,359,359.97.

David Ross, City Engineer, apprised the Board of the following: in preparing the original bid documents, the quantity 270 was inadvertently truncated to 27 for field drilled holes in concrete The planned quantity was adjusted in the field to address conditions encountered after exposing the existing viaduct footing.

Multiple phone and fiber optic ducts at various elevations crossing the storm sewer have forced the proposed storm sewer to be rerouted.

John Suarez moved approval of Change Order #3 for Improvement Resolution #6804-01, West Jefferson Blvd. – Viaduct to St. Mary's River increasing the contract price by $18,704.70. Motion carried. Contract price to be increased.

Meeting adjourned at 9:55 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

OCTOBER 2, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Dennis Noak, Parks Dept.; Greg Meszaros, Chief of Engineering; John Bomberger, Attorney with Bakers & Daniels; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard, Engineering Support Services; Jack Suter & Nancy Townsend, Development Services; Al Lichtsinn, Street Light Engineering; Bill Simmons, Water Resources; Mark Gensic, Matthew Wirtz, Pat Callahan & Doug Fasick, Planning & Design.

1. **RECEIVE BIDS:** RESOLUTION #1112-02: BURNS BOULEVARD—WATER MAIN REPLACEMENT

BIDDER	DUCTILE IRON PIPE—OPEN CUT INSTALLATION	HDPE PIPE—HORIZONTAL DIRECTIONAL DRILL INSTALLATION
All Star Construction	$No bid	$ 69,627.00
Dafforn Excavating	$	$128,236.15
	$	$
	$	$
Engineer's Estimate	$100,000.00	$100,000.00

Engineering Services to tabulate and report.

2. **AWARD:** Improvement Resolution #6887-02, Miscellaneous Package 2-A-02 to Hipskind Concrete Corp. in the amount of $37,303.00. Contract Compliance concurs with this award:
Denise Porter-Ross moved approval of award for Improvement Resolution #6887-02 to Hipskind Concrete Corp. in the amount of $37,303.00. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

3. **AWARD:** Improvement Resolution #6903-02, Columbia St.: Clay St. to Railroad Viaduct to Brooks Construction in the amount of $13,925.15. Contract Compliance concurs with this award:
Denise Porter-Ross moved approval of award for Improvement Resolution #6903-02, Columbia St.: Clay St. to Railroad Viaduct to Brooks Construction in the amount of $13,925.15. Motion carried. Notice of award to be sent.

4. **AWARD:** Improvement Resolution #6904-02, Parkwest Center Access to Illinois Road to E & B Paving in the amount of $19,912.59. Contract Compliance concurs with this award;
Denise Porter-Ross moved approval of award for Improvement Resolution #6904-02, Parkwest Center Access to Illinois Road to E & B Paving in the amount of $19,912.59. Motion carried. Notice of award to be sent. Transportation Engineering Services to prepare contracts.

5. **AWARD:** Improvement Resolution #681-02, Inwood Drive Combination Sewer Rehabilitation to Reynolds Inc. in the amount of $112,701.00. Contract Compliance concurs with this award;
Denise Porter Ross moved approval of award for Improvement Resolution #681-02, Inwood Drive Combination Sewer Rehabilitation to Reynolds Inc. in the amount of $112,701.00. Motion carried. Notice of award to be sent. Engineering Services to prepare contracts.

6. Approval of Board of Public Works Minutes of September 19, 2002;
John Suarez moved approval of Board of Public Works Minutes of September 19, 2002. Motion carried. Minutes approved.

7. **RESOLUTION** of the Board of Public Works of the City of Fort Wayne, Indiana, regarding the approval of forms of Bond Ordinances, recommending their adoption to the Common Council of the City and authorizing the reimbursement of certain expenses from bonds and other related matters;

John Bomberger, Attorney with Bakers & Daniels said that this Resolution authorizes the City to proceed with financing split between water and sewer in connection with the acquisition and installation of an Automated Meter Reading System. Mr. Bomberger said that this would require City Council approval.
Denise Porter-Ross moved approval of RESOLUTION of the Board of Public Works of the City of Fort Wayne, Indiana, regarding the approval of forms of Bond Ordinances, recommending their adoption to the Common Council of the City and authorizing the reimbursement of certain expenses from bonds and other related matters. Motion carried. Copy to be herein incorporated.

8. Approval of Hold Harmless Agreement between Indiana-Purdue Fort Wayne and the City of Fort Wayne for the construction and operation of a pedestrian bridge across Crescent Avenue. The City of Fort Wayne will allow the University to use the public right-of-way. City Engineering and the Law Department recommend approval;

David Ross, City Engineer, said that this proposed walkway would lead to the new dormitories at IPFW. Mr. Ross said that the structure would be built by IPFW but would be used by the public.

John Suarez moved approval of Hold Harmless Agreement between Indiana-Purdue Fort Wayne and the City of Fort Wayne for the construction and operation of a pedestrian bridge across Crescent Avenue. Motion carried. Copy to be placed on file in vault.

9. Encroachment License Agreement between the City of Fort Wayne and N.A.A.C.P. granting permission from the Board to place upon City right-of-way a Memorial in honor of the Reverend Jesse White on Rev. Jesse White Memorial Way (Wallace Street);

Dennis Noak, Parks Department said that True Love Baptist Church would maintain this site.

Denise Porter-Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and N.A.A.C.P. granting permission from the Board to place upon City right-of-way a Memorial in honor of the Reverend Jesse White on Rev. Jesse White Memorial Way (Wallace Street). Motion carried. Copy to be sent to the Allen County Recorder.

10. Encroachment License Agreement between the City of Fort Wayne and Frank R. Thompson granting permission from the Board to place upon City right-of-way three lights and a sign at 120 W. Wayne Street. The Encroachment License Agreement Committee recommends approval;

John Suarez moved approval of Encroachment License Agreement between the City of Fort Wayne and Frank R. Thompson granting permission from the Board to place upon City right-of-way three lights and a sign at 120 W. Wayne Street. Motion carried. Copy to be sent to the Allen County Recorder.

11. Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler Systems, Inc. granting permission from the Board to place upon City right-of-way an irrigation system on East Washington Boulevard and Glasgow Avenue. The Encroachment License Agreement Committee recommends approval;

Denise Porter Ross moved approval of Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler Systems, Inc. granting permission from the Board to place upon City right-of-way an irrigation system on East Washington Boulevard and Glasgow Avenue. Motion carried. Copy to be sent to the Allen County Recorder.

12. Encroachment License Agreement between the City of Fort Wayne and Winfield C. Moses, Jr. granting permission from the Board to place upon City right-of-way an encroachment into a water easement within the Wildwood Place Apartments Development. The Encroachment License Agreement Committee recommends approval;
John Suarez moved approval of Encroachment License Agreement between the City of Fort Wayne and Winfield C. Moses, Jr. granting permission from the Board to place upon City right-of-way an encroachment into a water easement within the Wildwood Place Apartments Development. Motion carried. Copy to be sent to the Allen County Recorder.

13. **IMPROVEMENT RESOLUTION #6905-02,** East Central – Larez Neighborhood: Alleys;

Mario Trevino, Transportation Engineering Services, said that this is for the east/west alley north of 900 block of East Berry Street and east/west and north/south alley north of the 600 block of East Creighton Street.
Denise Porter-Ross moved approval of Improvement Resolution #6905-02. Motion carried. Copy to be herein incorporated. Bids to be received on 10/16/02.

14. Approval of Change Order I and Final for Improvement Resolution #281-02 received from The Robert Henry Corporation for Lima Valley Addition increasing the contract amount by $776.81. The original contract price was $8,320.00. The new contract price including this change order is $9,096.81;
John Suarez moved approval of Change Order I and Final for Improvement Resolution #281-02 received from The Robert Henry Corporation for Lima Valley Addition increasing the contract amount by $776.81. Motion carried. Contract price to be increased.

15. Approval of recommendation received from Street Light Engineering to accept the work performed by the Robert Henry Corporation on Improvement Resolution #273-01, Arcadia – Englewood Street Light Project as an integral part of the City's street lighting system;
John Suarez moved approval of recommendation received from Street Light Engineering to accept the work performed by the Robert Henry Corporation on Improvement Resolution #273-01, Arcadia – Englewood Street Light Project as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

16. Approval of Change Order #4 for Improvement Resolution #6804-01 received from Brooks Construction Co., Inc. for West Jefferson Blvd. – Viaduct to St. Marys River increasing the contract price by $4,149.00. The original contract price was $1,276,716.77. The new contract price including this change order is $1,363,508.97;

Mario Trevino, Transportation Engineering Services, apprised the Board that this change order is due to the following:

(1) Encasing 4" galvanized signal interconnect/Broadband Initiative conduit in concrete per City Traffic Engineering Dept.

(2) Material excavating during storm sewer work was not suitable for use in widening or building new entrance to Swinney Park West. The contractor is requesting additional compensation to haul in suitable material from an off-site location.
(3) Sawcut joints be placed in the retaining wall to control further cracking.

John Suarez moved approval of Change Order #4 for Improvement Resolution #6804-01 received from Brooks Construction Co., Inc. for West Jefferson Blvd. – Viaduct to St. Marys River increasing the contract price by $4,149.00. Motion carried. Contract price to be increased.

17. Approval of Change Order #1 & FINAL for Improvement Resolution #6873-02 received from All Star Construction for Trier Ridge Park increasing the contract price by $8,513.12. The original contract price was $85,190.00. The new contract price including this change order is $93,703.12;

Mario Trevino, Transportation Engineering Services, stated that the following additional materials were added which increased the contract amount.

(1) Removal of concrete.
(2) Bituminous binder No. 8, 9, and 12.
(3) Concrete sidewalk
(4) Concrete curb type I-B

Denise Porter-Ross moved approval of Change Order #1 & FINAL for Improvement Resolution #6873-02 received from All Star Construction for Trier Ridge Park increasing the contract price by $8,513.12. Motion carried. Contract price to be increased.

18. Approval of Change Order #1 & FINAL for Improvement Resolution #6852-02 received from Brooks Construction for Resurfacing Package 3-2002 decreasing the contract amount by $74,269.59. The original contract price was $947,774.00. The new contract price including this change order is $873,504.41;

Mario Trevino, Transportation Engineering Services, said that final tabulation of all items reveals this reduction.
Denise Porter-Ross moved approval of Change Order #1 & FINAL for Improvement Resolution #6852-02 received from Brooks Construction for Resurfacing Package 3-2002 decreasing the contract amount by $74,269.59. Motion carried. Contract price to be decreased.

19. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6852-02. Resurfacing Package 3, the work performed by Key Concrete, Inc. on Improvement #6853-02, Miscellaneous Construction Pkg. 1-A-02, and on Improvement #6858-02, Miscellaneous Construction Pkg. 5-A-02 as an integral part of the City's transportation system;
Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Brooks Construction Co., Inc. on Improvement Resolution #6852-02. Resurfacing Package 3, the work performed by Key Concrete, Inc. on Improvement #6853-02, Miscellaneous Construction Pkg. 1-A-02, and on Improvement #6858-02, Miscellaneous Construction Pkg. 5-A-02 as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

22. Approval of Release of Escrow received from Wayne Asphalt for Improvement Resolution #6714-00: State/Sherman in the amount of $72,616.38. The Escrow Agent is Fifth Third Bank;
John Suarez moved approval of Release of Escrow received from Wayne Asphalt for Improvement Resolution #6714-00: State/Sherman in the amount of $72,616.38. Motion carried. Release of Escrow to be sent to the Escrow Agent.

21. Approval of **Emergency Resolution** for repair of collapsed sewer on Willowdale Road;

Greg Meszaros, Chief of Engineering, apprised the Board of the following: the existing 10" VCP sanitary sewer pipes have collapsed behind the homes of Willowdale Road and is beyond the capability of the WPC Maintenance Department to perform. T-C Inc. and Peterson Inc. were invited to submit quotes on the repair.
John Suarez moved approval of Emergency Resolution for repair of collapsed sewer on Willowdale Road. Motion carried. Copy to be herein incorporated. Purchasing to issue an emergency purchase order.

22. Approval of Property Acquisition Agreement between Griffin Real Estate Services, Inc. and the City of Fort Wayne for Neuhaus Phase II. The contract amount for this work is not-to-exceed $27,000.00. Development Services recommends approval;

Mary Jane Slaton, Development Services, said that this is the time and fee estimate for 12 properties.
Denise Porter-Ross moved approval of Property Acquisition Agreement between Griffin Real Estate Services, Inc. and the City of Fort Wayne for Neuhaus Phase II. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

23. Approval of Property Acquisition Agreement between Griffin Real Estate Services, Inc. and the City of Fort Wayne for Rothman Road Sewer Extension. The contract amount for this work is not-to-exceed $4,915.00. Development Services recommends approval;

Mary Jane Slaton, Development Services, said that this is the time and fee estimate for acquisition of two permanent easements for the Rothman Road Sewer Project.

Denise Porter-Ross moved approval of Property Acquisition Agreement between Griffin Real Estate Services, Inc. and the City of Fort Wayne for Rothman Road Sewer Extension. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

24. Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Dicke-Hadley Feeder Main—Route Study. The contract amount for this work is not-to-exceed $12,900.00. Planning and Design Services recommends approval;

Matthew Wirtz, Planning & Design Services, said that this project includes evaluation of alternate routes to construct future phases of a proposed 16" feeder main connecting to an existing 16" water main located west of the S. R. 14 (Illinois Road) and Hadley Road intersection heading south and connecting to an existing 10" water main located south of Aboite Center Road west of Dicke Road at the north entrance to the Lutheran Hospital complex.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana, LLC for Dicke-Hadley Feeder Main—Route Study. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Professional Services Agreement between the City of Fort Wayne and Gove Associates for Wadington Sanitary Sewer Petition Extension. This is a lump sum agreement for $18,765.00. Planning and Design Services recommends approval;

Nancy Townsend, Development Services, said that this is a petition project and would be located in the Third Council District. Ms. Townsend said that this is for the 7100 block of Wadington Road (East Side).

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Gove Associates for Wadington Sanitary Sewer Petition Extension. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

25. Approval of Amendment Number 2 to Agreement between the City of Fort Wayne and Paul I. Cripe, Inc for certain professional engineering services related to the Rudisill Subbasin West End Partial Sewer Separation—North. The not-to-exceed amount for the services rendered under this amendment is $73,935.00;

Pat Callahan, Planning & Design Services, apprised the Board of the following: the scope of the project shall be revised requiring additional professional services for the following:

- Extend storm sewer and add inlets along Packard between Beaver and Indiana.
- Eliminate storm sewer previously designed on Kinsmoor between S. Wayne and the alley West of Indiana.
- Extend storm sewer and add inlets along Nuttman between Beaver & Indiana, along Dayton between beaver & Indiana, Indiana between Oakdale and Illsley, Oakdale between S. Wayne & Fairfield, Fairfield from Dayton to French, Rudisill from Fairfield to the alley east of Fairfield.

Denise Porter-Ross moved approval of Amendment Number 2 to Agreement between the City of Fort Wayne and Paul I. Cripe, Inc for certain professional engineering services related to the Rudisill Subbasin West End Partial Sewer Separation—North. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

27. Approval of Professional Services Agreement between the City of Fort Wayne and Beam, Longest and Neff, L.L.C. for South Monroe: Rudisill to Boltz Water Main Replacement. The not-to-exceed amount for this Contract is $39,860.00. Planning & Design Services recommend approval;

Matt Wirtz, Planning & Design, said that this project is for water main improvements consisting of the replacement of approximately 3,580 l.f. of existing 4" water main and services and appurtenances with new 6/8" water main.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Beam, Longest and Neff, L.L.C. for South Monroe: Rudisill to Boltz Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.2

28. Approval of Addendum #1 to Professional Service Contract between the City of Fort Wayne and American Consulting, Inc. for Southgate Storm Sewer Phase 2 Inspection Services. American Consulting has asked for a 160-hour extension of time to complete this project. The total increase would be $10,400, making the final contract price $125,800.00. Planning & Design Services recommend approval;

Ron Sheppard, Development Services, remarked that American Consulting, Inc. has determined that the original contract duration of 40 weeks is not enough time to finish the project and is requesting additional time and compensation.

Denise Porter Ross moved approval of Addendum #1 to Professional Service Contract between the City of Fort Wayne and American Consulting, Inc. for Southgate Storm Sewer Phase 2 Inspection Services. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

29. **RESOLUTION** Authorizing Easement Acquisition at Camp Scott. The cost of the acquisition should not exceed $31,500.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services, said that this property is located on East Pontiac Street and City Utilities desires to acquire this easement as part of a project designed to reduce basement backups caused by overloaded combined sewers in the vicinity of McMillen Park.
John Suarez moved approval of RESOLUTION Authorizing Easement Acquisition at Camp Scott. Motion carried. Copy to be herein incorporated.

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Bunn Excavation, Inc on Sewer Contract #2002-S-04, Wheatridge Road, Liberty Construction on Sewer Contract #2002-S-12, Bass Road Morsches Property Sanitary and Kurtz Excavating on Sewer Contract #2002-S-24, Timberon Section II Phase II Sanitary as an integral part of the City's sanitary sewer system;
Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Bunn Excavation, Inc on Sewer Contract #2002-S-04, Wheatridge Road, Liberty Construction on Sewer Contract #2002-S-12, Bass Road Morsches Property Sanitary and Kurtz Excavating on Sewer Contract #2002-S-24, Timberon Section II Phase II Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent.

31. Approval of Sanitary Sewer Contract #2002-S-39 between Southwest Development at Union Chapel, LLC, and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Watersong Office Park Phase I. This project is OUTSIDE the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this sewer would serve 10 office buildings and would include 810 l.f. of 8" PVC pipe.
John Suarez moved approval of Sanitary Sewer Contract #2002-S-39 between Southwest Development at Union Chapel, LLC, and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Watersong Office Park Phase I. Motion carried. Sanitary sewer system to be constructed.

32. Approval of Sanitary Sewer Contract #2002-S-18 between Parkview Health System, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Greenwing Phase I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that this development is off of I-69 north of Dupont Road and said sewer to include 281 l.f. of 8" PVC pipe.
Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-18 between Parkview Health System, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Greenwing Phase I. Motion carried. Sanitary sewer to be constructed.

33. Agreement between Eric W. and Janice M. Garman and the Board of Public Works to vacate a small portion of a previously acquired storm water easement on Lot 9 of Rosemont Addition to allow for the construction of a garage. The utility will be compensated for the cost of previously purchased easement rights. Additionally, the Board is being requested to approve an Encroachment License Agreement to allow a driveway to remain within the unvacated portion on the easement. Development Services has no objection to the approval of the agreement and the Encroachment License Agreement;
Denise Porter-Ross moved approval of Agreement between Eric W. and Janice M. Garman and the Board of Public Works to vacate a small portion of a previously acquired storm water easement on Lot 9 of Rosemont Addition to allow for the construction of a garage. Motion carried. Copy to be placed on file in vault.

34. Approval of Construction Contract #1110-02 between Dafforn Excavating and the City of Fort Wayne for Old Mill Road Water Main Replacement in the amount of $137,507.70. **PRIOR APPROVAL REQUESTED;**
John Suarez moved approval of Construction Contract #1110-02 between Dafforn Excavating and the City of Fort Wayne for Old Mill Road Water Main Replacement in the amount of $137,507.70. Motion carried. Contract to be sent to City Council.

35. Approval of Escrow Agreement for Construction Contract 1110-02 between Dafforn Excavating and the City of Fort Wayne for Old Mill Road Water Main Replacement. Grabill Bank is the Escrow Agent;
John Suarez moved approval of Escrow Agreement for Construction Contract 1110-02 between Dafforn Excavating and the City of Fort Wayne for Old Mill Road Water Main Replacement. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

36. Approval of Construction Contract #1521-02 between Baughman Inc. and the City of Fort Wayne for Exterior Cleaning & Painting of Southwest Storage Water Tank in the amount of $39,985.00;
John Suarez moved approval of Construction Contract #1521-02 between Baughman Inc. and the City of Fort Wayne for Exterior Cleaning & Painting of Southwest Storage Water Tank in the amount of $39,985.00. Motion carried. Notice to proceed to be sent.

37. Approval of Change Order #1 & Final received from Dafforn Excavating for Improvement Resolution #1096-01, Pinewood/Orchard Lane increasing the contract amount by $21,481.44. The original contract price was $244,908.50. The new contract price including this change order is $266,389.94;

Ron Sheppard, Engineering Support Services, stated that this is a final quantities adjustment and that extra sidewalk and ADA ramp quantities were not on the plans.

Denise Porter-Ross moved approval of Change Order #1 & Final received from Dafforn Excavating for Improvement Resolution #1096-01, Pinewood/Orchard Lane increasing the contract amount by $21,481.44. Motion carried. Contract price to be increased.

38. Approval of General Accounting Claims in the amount of $14,249,401.03 for the week of Sept. 25, 2002 and in the amount of $13,783,036.88 for the week of October 2, 2002;

John Suarez moved approval of General Accounting Claims in the amount of $14,249,401.03 for the week of Sept. 25, 2002 and in the amount of $13,783,036.88 for the week of October 2, 2002. Motion carried. Claims to be sent to the Department of Finance.

39. Approval of Barrett Law Claims in the amount of $**193,265.53**;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $193,265.53. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

40. Old Business:

None.

41. New Business:

None.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

OCTOBER 2, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; David Ross, City Engineer; Mario Trevino, Transportation Engineering Services; Dennis Noak, Parks Dept.; Greg Meszaros, Chief of Engineering; John Bomberger, Attorney with Bakers & Daniels; Charles Bailey & Carl Wilson, Contract Compliance; Ron Sheppard, Engineering Support Services; Jack Suter & Nancy Townsend, Development Services; Al Lichtsinn, Street Light Engineering; Bill Simmons, Water Resources; Mark Gensic, Matthew Wirtz, Pat Callahan, Mike Thornson & Doug Fasick, Planning & Design.

1. Approval of Board of Stormwater Management Minutes of September 10, 2002;
   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of September 10, 2002. Motion carried. Minutes approved.

2. **IMPROVEMENT RESOLUTION #671-02,** Standish Drive Stormwater System Improvement;

   Mike Thornson, Planning & Design, said that this is for the construction of a stormwater system along the 4600 block of Standish Drive, including approximately 1200 lineal feet of storm sewers and 1300 lineal feet of swale and culvert improvements.
   Denise Porter-Ross moved approval of Improvement Resolution #671-02. Motion carried. Copy to be herein incorporated.

3. **IMPROVEMENT RESOLUTION #672-02,** Ventura Lane West Stormwater System Improvement;

Mike Thornson, Planning & Design, remarked that this project is for the construction of stormwater system improvements along the 800 and 900 blocks of Ventura Lane, including approximately 520 l.f. of storm sew4rs and culverts, and 1200 l.f. of swale improvements.
John Suarez moved approval of Improvement Resolution #672-02. Motion carried. Copy to be herein incorporated.

4. Approval of Storm Sewer Contract #2002-ST-03 between Phoenix Manor L.P. and the Fort Wayne Stormwater System to construct a local storm drainage system to serve Phoenix Manor Apartments (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this stormwater system consists of 243 l.f. of 12" diameter HDPE and two stormwater manholes.
Denise Porter-Ross moved approval of Storm Sewer Contract #2002-ST-03 between Phoenix Manor L.P. and the Fort Wayne Stormwater System to construct a local storm drainage system to serve Phoenix Manor Apartments. Motion carried. Storm drainage system to be constructed.

Meeting adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

OCTOBER 9, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez, Denise Porter-Ross, & Carolyn Newport, BOPW; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Jack Suter, Development Services; Ron Sheppard, Development Services; Matthew Wirtz, Mike Hicks, and Mark Gensic, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Patrick Hess, Attorney with Beckman & Lawson Law Firm. Ted Rhinehart, absent.

1. **RECEIVE BIDS:** RESOLUTION #1542-02: North Maumee Interceptor Cleaning

BIDDER	BASE BID
National Power Rodding Corporation	$114,062.82
Engineers Estimate	$ 253,000.00

Transportation Engineering Services to tabulate and report.

2. **AWARD:** Improvement Resolution #1112-02, Burns Blvd. Water Main Replacement to All Star Construction in the amount of $69,627.00. Contract Compliance concurs with this award;
John Suarez moved approval of award for Improvement Resolution #1112-02 to All Star Construction in the amount of $69,627.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Board of Public Works Minutes of October 2, 2002;
John Suarez moved approval of Board of Public Works Minutes of October 2, 2002. Motion carried. Minutes approved.

4. Approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6809-01, Trier Road increasing the contract price by $6,311.37. The original contract price was $413,977.78. The new contract price including this change order is $420,289.15;

Mario Trevino, Transportation Engineering Services, said that several items ran over and under cost such as asphalt surface #11, which ran 244 tons over.
John Suarez moved approval of Change Order #1 and FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6809-01, Trier Road increasing the contract price by $6,311.37. Motion carried. Contract price to be increased.

5. Approval of Change Order #2 and FINAL received from API Construction for Improvement Resolution #6819-01, Lahmeyer/Stellhorn increasing the contract price by $62,396.14. The original contract price was $428,559.64. The new contract price including this change order is $582,730.68;

Mario Trevino, Transportation Engineering Services, said that a number of items ran over significantly due to unforeseen poor soil conditions.
John Suarez moved approval of Change Order #2 and FINAL received from API Construction for Improvement Resolution #6819-01, Lahmeyer/Stellhorn increasing the contract price by $62,396.14. Motion carried. Contract price to be increased.

6. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road increasing the contract price by $932.13. The original contract price was $73,991.25. The new contract price including this change order is $74,923.38;

Mario Trevino, Transportation Engineering Services, said that this change order is for final adjustment of quantities.
John Suarez moved approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road increasing the contract price by $932.13. Motion carried. Contract price to be increased.

7. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Right-of-Way Engineering of improvements to St. Joseph Center Road: St. Joe Road to Reed Road. Proposed improvements include: final right-of-way plans, 20 year title search, individual plats, descriptions, management and field staking, appraisal problem analysis. Compensation for services shall be a fee not-to-exceed $99,000.00 funded through the Federal Aid Account ($79,200.00) and CEDIT ($19,800.00). City Engineering recommends approval;

David Ross, City Engineer, said that a public hearing was held on this project and the next phase is the right-of-way acquisition phase. Mr. Ross said that this agreement would have to be approved by INDOT.

John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the Right-of-Way Engineering of improvements to St. Joseph Center Road: St. Joe Road to Reed Road. Motion carried. Copy to be placed on file in vault.

8. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Oakland Park Neighborhood Association for the allocation of $1,200.00 from 6th District Neighborhood CEDIT Funds for Oakland Park Association signs;
John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Oakland Park Neighborhood Association for the allocation of $1,200.00 from 6th District Neighborhood CEDIT Funds for Oakland Park Association signs. Motion carried. Copy to be placed on file in vault.

9. Approval of Professional Services Agreement between the City of Fort Wayne and R. W. Armstrong & Associates, Inc. for Fort Wayne Airport: Keller Road Water Main Replacement. The not-to-exceed amount for this contract is $59,500.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, apprised the Board of the following: this project is for water improvements along Keller Road and the southwestern side of Fort Wayne International Airport consisting of the installation of approximately 3,200 LF of 12" water main, 1,950 LF of 8" water main and all appurtenances. The project shall replace portions of the existing 4/6/8" water mains and install new connections to other sections of the existing water mains – all to improve fire protection along Keller Road and the southwestern Fort Wayne International Airport facilities.
John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and R. W. Armstrong & Associates, Inc. for Fort Wayne Airport: Keller Road Water Main Replacement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. Approval of Sanitary Sewer Contract #2002-S-37 between Creekwood Developers, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Creekwood Section III. This project is inside the City and is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this development is on the south side on St. Joe Center Road between Lahmeyer and Maplecrest and said sewer to include 2,041.50 l.f. of 8" PVC pipe.
John Suarez moved approval of Sanitary Sewer Contract #2002-S-37 between Creekwood Developers, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Creekwood Section III. Motion carried. Sanitary sewer system to be constructed.

11. Approval of Sewer Contract #2002-S-40 between Belay Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Union Chapel Road Lift Station West to Diebold Road. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, apprised the Board of the following: this 3 lot one-acre development is west of the Hawthorne Lift Station. Said sewer to include 225 l.f. of 8" PVC pipe.
John Suarez moved approval of Sewer Contract #2002-S-40 between Belay Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Union Chapel Road Lift Station West to Diebold Road. Motion carried. Sanitary sewer system to be constructed.

12. Approval of recommendation received from Development Services to accept the work performed by Reining Development Co. LLC for approximately 200 ± feet of private ductile iron water main that links two segments of public water main to serve future water services customers;

Jack Suter, Development services said that in the later 1990's, a developer constructed 200 ± feet of water main that was not included as a public system. The developer has agreed to transfer this to the City resulting in an acceptance letter to Reining Development for Sandy Pointe Commercial North Water Main.
John Suarez moved approval of recommendation received from Development Services to accept the work performed by Reining Development Co. LLC for approximately 200 ± feet of private ductile iron water main that links two segments of public water main to serve future water services customers. Motion carried. Acceptance letter to be sent.

13. Approval of Notice of Water Main Extension for Coldwater Road;

Ron Sheppard, Engineering Support Services, said that this water main extension is for a 12-inch ductile iron water main at the intersection of Woodland Crossing and Coldwater Road and this resolution determines the connection fees.
John Suarez moved approval of Notice of Water Main Extension for Coldwater Road. Motion carried. Copy to be sent to the Allen County Recorders Office.

14. Approval of Change Order #2 received from Geiger Excavating for Improvement Resolution #592-99, Southgate Phase II increasing the contract price by $78,645.00. The original contract price was $1,034,438.00. The new contract price including this change order is $1,172,450.90;

Ron Sheppard, Engineering Support Services, said that Maple Grove, which is a chip and seal street, needs base stabilization, which resulted in the bulk of the change order.

John Suarez moved approval of Change Order #2 received from Geiger Excavating for Improvement Resolution #592-99, Southgate Phase II increasing the contract price by $78,645.00. The original contract price was $1,034,438.00. Motion carried. Contract price to be increased.

15. Approval of Professional Agreement between the City of Fort Wayne and Earth Tech, Inc. for Central Pressure Zone – Water Model Macro Calibration & Storage Analysis. The not-to-exceed amount for this contract is $39,500.00. Planning & Design Services recommend approval;

Matthew Wirtz, Planning & Design, apprised the Board of the following: for this project, macro calibration consists of ensuring that the hydraulic model accurately reflects how the overall system operates with respect to major transmission mains, pumps, tanks, and reservoir operation under normal operating conditions. The majority of effort will focus on the northern area of the main pressure zone. The storage analysis will evaluate the existing volume of storage in the Central Pressure Zone, the effectiveness of this storage, and propose improvements to storage in the Central Pressure Zone, specifically in regards to the Redwood-Chestnut Tank.

John Suarez moved approval of Professional Agreement between the City of Fort Wayne and Earth Tech, Inc. for Central Pressure Zone – Water Model Macro Calibration & Storage Analysis. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of write-off of City Utilities Revenue Accounts for the month of July, 2002 in the amount of $33,649.89;

John Suarez moved approval of write-off of City Utilities Revenue Accounts for the month of July, 2002 in the amount of $33,649.89. Motion carried. Write off of City Utilities Revenue Accounts to be sent to a collection agency.

18. Approval of General Accounting Claims in the amount of $5,890,817.58;

John Suarez moved approval of General Accounting Claims in the amount of $5,890,817.58. Motion carried. General Accounting Claims to be sent to the Department of Finance.

19. Approval of Barrett Law Claims in the amount of $131,581.47;

John Suarez moved approval of Barrett Law Claims in the amount of $131,581.47. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

20. Old Business:

None.

21. New Business:

None.

Approval of Encroachment License Agreement between the City of Fort Wayne and the Fort Wayne Community Schools to place curbs, sidewalks, and a landscaping island within the right-of-way of Eade Avenue as part of the planned improvements to North Side High School. The Encroachment License Agreement Committee recommends approval.

Patrick Hess, Attorney for Beckman & Lawson gave a detailed description of the improvements.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:40 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: John Suarez, Denise Porter-Ross, & Carolyn Newport, BOPW; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Jack Suter, Development Services; Ron Sheppard, Development Services; Matthe Wirtz, Mike Hicks, and Mark Gensic, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Patrick Hess, Attorney with Beckman & Lawson Law Firm. Ted Rhinehart, absent.

1. Approval of Board of Stormwater Management Minutes of October 2, 2002;
John Suarez moved approval of Board of Stormwater Management Minutes of October 2, 2002. Motion carried. Minutes approved.

2. Approval of Storm Sewer Contract #2002-ST-04 between Canyons Pointe L.L.C. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Canyons of North Pointe Woods Section I;

Jack Suter, Development Services, remarked that this stormwater system consists of:

1235 lf of 12" HDPE
525 lf of 15" HDPE
60 lf of 18" HDPE
400 lf of 12" RCP
270 lf of 15" RCP
425 lf of 8" PVC
24 storm sewer structures

John Suarez moved approval of Storm Sewer Contract #2002-ST-04 between Canyons Pointe L.L.C. and the Fort Wayne Stormwater Utility to construct a local storm drainage system to serve Canyons of North Pointe Woods Section I. Motion carried. Storm drainage system to be constructed.

3. Old Business:

None.

4. New Business:

None.

Approval of Change Order #1 received from Crosby Excavating for Improvement Resolution #665-01, North Dr./Reed Rd. Storm Drainage Improvement increasing the contract amount by $4,854.40. The original contract price was $327,602.50. The new contract price including this change order is $332,456.90.

Ron Sheppard, Engineering Support Services said that 75 l.f. of sanitary sewer was installed which will be used to serve several property owners on Stellhorn Road at a future date and that this addition will be paid for by the Sewer Utility and not the Storm Utility. Mr. Sheppard said that Crosby Excavating is requesting a time extension for this project due to delays in the condemnation process.
John Suarez moved approval of Change Order #1 received from Crosby Excavating for Improvement Resolution #665-01, North Dr./Reed Rd. Storm Drainage Improvement increasing the contract amount by $4,854.40. Motion carried. Contract price to be increased.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

CANCELLATION OF MEETING OF BOARD PUBLIC WORKS AND BOARD OF STORMWATER MANAGEMENT

The regular meeting of the Board of Public Works and Board of Stormwater Management will NOT be held on Wednesday, October 23, 2002 at 9:00 a.m. in the Omni Room, Room 250 of the City County Building due to illness except for the receipt of bids for Sewer Inspection & Cleaning Service Contract. The next scheduled meeting is Friday, October 25, 2002 at 9:00 a.m. in the Omni Room, Room 250 of the City County Building.

Carolyn S. Newport, Clerk

October 23, 2002

OCTOBER 16, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jim Howard, Associate City Attorney; Charles Bailey, Contract Compliance; Mark Gensic & Paul Powers, Planning & Design; Mario Trevino & Mike Fruchey, Transportation Engineering Services; Mary Jane Slaton, Development Services; Dan Smith, Engineering Support Services; Ed Foss, All Star Construction; Scott Hile, Benchmark Construction.

1. **RECEIVE BIDS:** RESOLUTION #6905-02, East Central – Larez Neighborhoods

BIDDER	**BASE BID**
GARCIA CONCRETE CONST.	61,385.00
HIPSKIND CONCRETE CORP.	68,462.50
PIONEER ASSOCIATES	86,115.00
Engineer Estimate	$73,480.00

Transportation Engineering Services to tabulate and report.

2. **AWARD:** Improvement Resolution #1542-02, North Maumee Interceptor Cleaning to National Power Rodding Corp. in the amount of $114,062.82. Contract Compliance concurs with this award pending receipt of the Affirmative Action Program;

   Denise Porter-Ross moved approval of award for Improvement Resolution #1542-02 to National Power Rodding Corp. in the amount of $114,062.82 pending receipt of the Affirmative Action Program. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Board of Public Works Minutes for October 9, 2002;

   John Suarez moved approval of Board of Public Works Minutes of October 9, 2002. Motion carried. Minutes approved.

4. Approval of Agreement between the City of Fort Wayne Board of Public Works and Lake Shores Community Association allocating $3,575.00 from 4th District CEDIT Funds for the reimbursement of Lake Shores Entrance Signs;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Lake Shores Community Association allocating $3,575.00 from 4th District CEDIT Funds for the reimbursement of Lake Shores Entrance Signs. Motion carried. Copy to be placed on file in vault.

5. Approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6812-01, Moeller Road increasing the contract price by $26,714.00. The original contract price was $188,452.25. The new contract price including this change order is $215,166.25;

- Mario Trevino, Transportation Engineering Services, said that it was necessary to add the following to complete the project.
- Additional Structures on the West End
- Repair of the Water Line at the East End
- Remove and Replace Center Island
- New Concrete Drive Approach
- Mulched Seeding
- Additional CMP and Rip Rap
- Removal of Drive Approach

Mr. Trevino said that due to the existing condition of the road with wheel rutting and no crown in the road for drainage, this required the increase of bituminous surface.

John Suarez moved approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6812-01, Moeller Road increasing the contract price by $26,714.00. Motion carried. Contract price to be increased.

6. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6827-01, Packard/Wildwood increasing the contract price by $7,900.00. The original contract price was $140,876.25. The new contract price including this change order is $148,776.65;

Mario Trevino, Transportation Engineering Services, apprised the Board of the following: to improve drainage on Wildwood, an additional catch basin was installed. Because of problems with existing sewer pipe, a sewer line was rerouted across Wildwood and tapped into an existing catch basin which adds #33 HMA Binder, new inlet type I-C, and RCP to the contract. Two additional trees were removed once the project started in order to properly replace the concrete. Also, additional alley was replaced at the back of the sidewalk to achieve proper drainage in the alley, and two existing manhole castings were replaced.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and Lake Shores Community Association allocating $3,575.00 from 4th District CEDIT Funds for the reimbursement of Lake Shores Entrance Signs. Motion carried. Copy to be placed on file in vault.

5. Approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6812-01, Moeller Road increasing the contract price by $26,714.00. The original contract price was $188,452.25. The new contract price including this change order is $215,166.25;

   - Mario Trevino, Transportation Engineering Services, said that it was necessary to add the following to complete the project.
   - Additional Structures on the West End
   - Repair of the Water Line at the East End
   - Remove and Replace Center Island
   - New Concrete Drive Approach
   - Mulched Seeding
   - Additional CMP and Rip Rap
   - Removal of Drive Approach

   Mr. Trevino said that due to the existing condition of the road with wheel rutting and no crown in the road for drainage, this required the increase of bituminous surface.

   John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and Lake Shores Community Association allocating $3,575.00 from 4th District CEDIT Funds for the reimbursement of Lake Shores Entrance Signs. Motion carried. Contract price to be increased.

6. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6827-01, Packard/Wildwood increasing the contract price by $7,900.00. The original contract price was $140,876.25. The new contract price including this change order is $148,776.65;

   Mario Trevino, Transportation Engineering Services, apprised the Board of the following: to improve drainage on Wildwood, an additional catch basin was installed. Because of problems with existing sewer pipe, a sewer line was rerouted across Wildwood and tapped into an existing catch basin which adds #33 HMA Binder, new inlet type I-C, and RCP to the contract. Two additional trees were removed once the project started in order to properly replace the concrete. Also, additional alley was replaced at the back of the sidewalk to achieve proper drainage in the alley, and two existing manhole castings were replaced.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6827-01, Packard/Wildwood increasing the contract price by $7,900.00. Motion carried. Contract price to be increased.

7. Approval of Change Order #1 & FINAL received from Key Concrete on Improvement Resolution #6836-02, Miscellaneous Package 6-A-02 decreasing the contract price by $7,274.79. The original contract price was $77,975.00. The new contract price including this change order is $70,700.21;

   Mario Trevino, Transportation Engineering Services, said that more top soil, seed and mulch were used in yards and also more bed course or stone under walks or drives were added to the cost.

   John Suarez moved approval of Change Order #1 & FINAL received from Key Concrete on Improvement Resolution #6836-02, Miscellaneous Package 6-A-02 decreasing the contract price by $7,274.79. Motion carried. Contract price to be increased.

8. Approval of Change Order #1 & FINAL received from Primco, Inc. on Improvement Resolution #6880-02, Woodhurst Addition, Phase I decreasing the contract price by $4,221.98. The original contract price was $117,558.15. The new contract price including this change order is $113,336.17;

   Mario Trevino, Transportation Engineering Services, said that this change order was to adjust contract quantities to reflect improvements constructed.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Primco, Inc. on Improvement Resolution #6880-02, Woodhurst Addition, Phase I decreasing the contract price by $4,221.98. Motion carried. Contract price decreased.

9. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6892-02, Liberty Development decreasing the contract price by $2,171.80. The original contract price was $120,542.00. The new contract price including this change order is $118,370.20;

   Mario Trevino, Transportation Engineering Services, said that this change order was to adjust contract quantities to reflect improvements constructed.

   John Suarez moved approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6892-02, Liberty Development decreasing the contract price by $2,171.80. Motion carried. Contract price to be decreased.

10. Approval of Change Order #1 received from Brooks Construction Co., Inc. on Improvement Resolution #6897-02, Coombs Street Railroad Viaduct increasing the contract price by $11,660.00. The original contract price was $123,917.62. The new contract price including this change order is $135,577.62;

    Mario Trevino, Transportation Engineering Services, said that this change has been requested by the City Engineer's office in order to provide a new resurface roadway within the scope of the improvement.

John Suarez moved approval of Change Order #1 received from Brooks Construction Co., Inc. on Improvement Resolution #6897-02, Coombs Street Railroad Viaduct increasing the contract price by $11,660.00. Motion carried. Contract price to be increased.

11. Change Order #1 & FINAL received from Pioneer Associates on Improvement Resolution #6901-02, Retaining Wall at Northside and Glazier increasing the contract amount by $632.00. The original contract was $15,714.00. The new contract price including this change order is $16,346.00;

Mario Trevino, Transportation Engineering Services, said that after the contract was awarded, the Army Corp of Engineers requested that the City add a keyway to the structure to prevent seepage and slippage resulting in this change order.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Pioneer Associates on Improvement Resolution #6901-02, Retaining Wall at Northside and Glazier increasing the contract amount by $632.00. Motion carried. Contract price to be increased.

12. Special Street Permit granting permission for Zohrab K. Tazian to construct the following streets in Canyons of North Pointe Woods: Riveroak Drive, Sterling Ridge Cove, Emerald Canyon Cove, and Meadows Parkway;

Mike Fruchey, Transportation Engineering Services, said that this development is in the Second Council District and would serve 37 residential lots.

John Suarez moved approval of Special Street Permit granting permission for Zohrab K. Tazian to construct the following streets in Canyons of North Pointe Woods: Riveroak Drive, Sterling Ridge Cove, Emerald Canyon Cove, and Meadows Parkway. Motion carried. Streets to be constructed.

13. Discussion on Improvement Resolution #6736-01, North Clinton Street: Coldwater Road to Coliseum Blvd.;

Ted Rhinehart stated that the issue at hand concerns wage violations by a subcontractor on the project. Mr. Rhinehart stated that a report had been sent to the prime contractor, All Star Construction & Excavating regarding the matter.

Charles Bailey, Contract Compliance Administrator, addressed the Board and summarized the report that had been sent to All Star. Mr. Bailey said that a document provided by the subcontractor in question, Labor Ready, indicated that they were not aware of the wage requirements. Mr. Bailey remarked that the prime contractor is responsible for the wage compliance of their subs, but it does not appear that there was a willful violation as both All Star and Labor Ready were very cooperative in resolving this wage violation.

Ted Rhinehart asked for comments from the floor.

Ed Foss, President of All Star Construction stated that in the beginning of the project, they did not have any intentions of using Labor Ready. A flagman was needed and someone in the field called Labor Ready.

Mr. Foss stated that he believed that the problem was a communication problem.

John Suarez recited some complaints against contractors who are not complying with the prevailing wage rates and emphasized that he would be monitoring all contractors to make sure that they are in compliance.

Ted Rhinehart stated that he would be sending a letter to all contractors reinforcing that the City is receiving prevailing wage complaints and that they need to submit more timely payrolls.

14. Approval of Assessment Roll for Improvement Resolution #6794-02, Miscellaneous Construction Pkg. 4-A-01. Property owners have waived their right to a public hearing;

Denise Porter-Ross moved approval of Assessment Roll for Improvement Resolution #6794-02, Miscellaneous Construction Pkg. 4-A-01. Property owners have waived their right to a public hearing. Motion carried. Assessments to be sent to property owners.

15. Approval of execution of option to extend the Technical Services Agreement between the City of Fort Wayne and Kelly Advertising for one year to write, design, and prepare at least one, but no more than four monthly utility bill stuffers. The compensation rate ($85.00 per hour) agreed upon in 2002 will remain the same for 2003;

John Suarez moved approval of execution of option to extend the Technical Services Agreement between the City of Fort Wayne and Kelly Advertising for one year to write, design, and prepare at least one, but no more than four monthly utility bill stuffers. Motion carried. Request approved.

16. Approval of Professional Services Agreement between the City of Fort Wayne and Sagamore Associates for Sewer and Water Planning and Policy Development. The not-to-exceed amount for this contract is $10,000.00. Planning & Design Service recommend approval;

Paul Powers said that these services will be provided on an "as-needed" basis for a period of one year from the date of contract approval.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Sagamore Associates for Sewer and Water Planning and Policy Development. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for High Service Pump Improvements – Final Design, Bidding & Construction Engineering. The lump sum fee for this agreement is a lump sum of $196,000.00;

Mark Gensic, Planning & Design, apprised the Board that this project involves the following tasks.

- Final design of medium voltage variable frequency drives (VFDs) and motors at 4,160 volts for High Service (HS) Pumps 2 and 9.
- Design revisions to existing pump controls for the modified pumps, and provide updated operating instructions for the modified pumps.

The medium voltage VFD for HS Pump 2 will be designed to be moved in the future to a new pump (possibly HSP #13 or #14) in a new pump facility (i.e. – North Pump Building), as will the VFD for HS Pump 9. The electrical design shall incorporate necessary features to facilitate integration into future plant-wide 4160V power distribution system.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and HNTB Corporation for High Service Pump Improvements – Final Design, Bidding & Construction Engineering. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

18. **IMPROVEMENT RESOLUTION #1550-2002,** High Service Pumps No. 2 & No. 9 Improvement Project at the Three Rivers Filtration Plant;

Mark Gensic, Planning & Design, said that this project is for the Three Rivers Filtration Plant for final design of Electrical and Variable Frequency Drive Upgrades and Replacements for High Pressure Distribution System Pumps.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1550-2002, High Service Pumps No. 2 & No. 9 Improvement Project at the Three Rivers Filtration Plant. Motion carried. Copy to be herein incorporated.

19. Approval of Professional Services Agreement between the City of Fort Wayne and Goode & Associates for Watershed Coordination for 2003 in an amount not-to-exceed $88,000.00;

Ted Rhinehart remarked that this involves work in coordinating the various watershed teams, preparing materials for team use, updating and enhancing web sites, and continued improvement to our grant application and coordination efforts.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Goode & Associates for Watershed Coordination for 2003 in an amount not-to-exceed $88,000.00. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Change Order #1 received from Metropolitan Environmental Services for Improvement Resolution #652-2001, WPCP CSO Pond Dredging increasing the contract amount by $92,002.42. The original contract price was $541,347.00. The new contract price including this change order is $633,349.42;

Dan Smith, Engineering Support Services, said that additional Pond #1 dredging using the geotubes is needed and due to the engineering study price that we were given, a change order to this project was a much more economical solution. Mr. Sheppard said that an additional 30 days will be given to the contractor to finish this additional work.

John Suarez moved approval of Change Order #1 received from Metropolitan Environmental Services for Improvement Resolution #652-2001, WPCP CSO Pond Dredging increasing the contract amount by $92,002.42. Motion carried. Contract price to be increased.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Richard Ness Excavating on Improvement Resolution #1093-01, Hillegas Road/Coliseum Blvd. Water Main Installation as an integral part of the City's water distribution system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Richard Ness Excavating on Improvement Resolution #1093-01, Hillegas Road/Coliseum Blvd. Water Main Installation as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

22. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-03, Hawthorne Park Section IV Water as an integral part of the City's water main system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-03, Hawthorne Park Section IV Water as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

23. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #2000-S-06, Metro Business Park Sanitary as an integral part of the City's sanitary sewer system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Sewer Contract #2000-S-06, Metro Business Park Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

24. Approval of recommendation received from Engineering Support Services t accept the work performed by A-1 Sanitary Sewer Service on Sewer Contract #2002-S-31, 6724 Wayne Trace Sanitary Phase I as an integral part of the City's sanitary sewer system;

Denise Porter-Ross approval of recommendation received from Engineering Support Services t accept the work performed by A-1 Sanitary Sewer Service on Sewer Contract #2002-S-31, 6724 Wayne Trace Sanitary Phase I as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

25. Approval of General Accounting Claims in the amount of $4,254,113.07;

John Suarez moved approval of General Accounting Claims in the amount of $4,254,113.07. Motion carried. Claims to be sent to the Department of Finance.

26. Old Business:

None.

27. New Business:

None.

Meeting adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

OCTOBER 16, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jim Howard, Associate City Attorney; Charles Bailey, Contract Compliance; Mark Gensic & Paul Powers, Planning & Design; Mario Trevino & Mike Fruchey, Transportation Engineering Services; Mary Jane Slaton, Development Services; Dan Smith, Engineering Support Services; Ed Foss, All Star Construction; Scott Hile, Benchmark Construction.

1. Approval of Board of Stormwater Management Minutes of October 9, 2002;

   John Suarez moved approval of Board of Stormwater Management Minutes of October 9, 2002. Motion carried. Minutes approved.

2. Approval of FINAL Change Order received from Bunn, Inc. for Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement decreasing the contract amount by $11,072.78. The original contract price was $111,634.00. The new contract price including this change order is $100,561.22;

   Dan Smith, Engineering Support Services, said that this change order is an adjustment of final quantities.

   Denise Porter-Ross moved approval of FINAL Change Order received from Bunn, Inc. for Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement decreasing the contract amount by $11,072.78. Motion carried. Contract price to be decreased.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Bunn, Inc. on Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement as an integral part of the City's storm drainage system;

   Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Bunn, Inc. on Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Approval of Authorization for Full Release of Escrow received from Bunn, Inc. for Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement in the amount of $10,056.12. The Escrow Agent is Tower Bank;

Denise Porter-Ross moved approval of Authorization for Full Release of Escrow received from Bunn, Inc. for Improvement Resolution #637-02, Delray, Jonquil Dr.-Rockwood Dr. Storm Sewer Improvement in the amount of $10,056.12. Motion carried. Release of Escrow to be sent to the Escrow Agent.

5. Old Business:

   None.

6. New Business:

   None.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

OCTOBER 23, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart & Carolyn Newport, BOPW; Ron Sheppard, Engineering Support Services. John Suarez & Denise Porter Ross, absent.

RECEIVE BIDS: RESOLUTION #87-43-15 (5), Sewer Inspection & Cleaning Service Contract;

BIDDER	BASE BID
DREIER & MALLER, INC.	$718,042.40
INLAND WATERS POLLUTION CONTROL	$952,393.00
NATIONAL POWER RODDING CORP.	$623,332.51
TELE-VAC	$947,028.90
ENGINEER'S ESTIMATE	$897,106.35

Since there was not a quorum due to illness, a regular meeting was not held and rescheduled for Friday, October 25, 2002.

OCTOBER 25, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Mike Fruchey, Transportation Engineering Services; Jack Suter, Development Services; Ron Sheppard, Engineering Support Services; Pat Callahan, Mike Hicks, and Matthew Wirtz, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Chris Hertel, Purchasing Director; Greg Meszaros, Chief of Engineering.

1. **AWARD:** Improvement Resolution #6905-02, East Central-Larez Neighborhood Alleys to Garcia Concrete Const. in the amount of $61,385.00. Contract Compliance concurs with this award;

   John Suarez moved approval of award for Improvement Resolution #6905-02, East Central-Larez Neighborhood Alleys to Garcia Concrete Const. in the amount of $61,385.00. Motion carried. Notice of award to be sent.

2. **AWARD:** Resolution #87-43-15 (5), Sewer Inspection & Cleaning Service Contract to National Power Rodding Corp in the amount of $623,332.51. Contract Compliance concurs with this award;

   John Suarez moved approval of award for Improvement Resolution #87-43-15 (5) in the amount of $623,332.51. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of Board of Public Works Minutes of October 16, 2002;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of October 16, 2002. Motion carried. Minutes approved.

4. **AWARD:** Water Pollution Control Plant – 2601 Dwenger Avenue Roofing Repairs/Replacement Bid to CMS Roofing in the amount of $40,956.65;

   John Suarez moved approval of award for the Water Pollution Control Plant – 2601 Dwenger Avenue Roofing Repairs/Replacement Bid to CMS Roofing in the amount of $40,956.65. Motion carried. Property Manager to issue requisition for Purchase Order.

5. Approval of two Requisitions for masonry restorations and concrete repairs for the Three Rivers Filtration Plant totaling $147,350.00 (Vendor, Kemna Restoration & Construction) and for door replacement/repairs totaling $13,774.00 (Vendor Central Indiana Hardware);

   Held for further review.

6. Approval of Second Amendment to Interlocal Agreement between the City of Fort Wayne and Fort Wayne Public Transportation Corporation, d/b/a/ Citilink;

Ted Rhinehart said that this Amendment is in connection to the Civic Center Parking Garage and has been reviewed by Jim Howard, Associate City Attorney.

Denise Porter-Ross moved approval of Second Amendment to Interlocal Agreement between the City of Fort Wayne and Fort Wayne Public Transportation Corporation, d/b/a/ Citilink. Motion carried. Copy to be placed on file in vault.

7. Approval of amended secondary development plan for Stonewall Industrial Park;

Jack Suter, Development Services said that there is a reduction in the number of lots and some easements are added.

Denise Porter-Ross moved approval of amended secondary development plan for Stonewall Industrial Park. Motion carried. Secondary development plan to be sent to City Planning.

8. Approval of the following Cable Fund Access Board Grant Recipient Contracts:

- YMCA in collaboration with Science Central & Team TV Youth Network - $17,533.82
- Most Precious Blood School - $7,796.00
- Fort Wayne African-American Cancer Alliance, Inc. - $1,500.00
- Fort Wayne Community Schools, North Side High School - $9,100.00
- Fort Wayne Community Schools, Wayne High School - $10,350.00
- Fort Wayne Community Schools, Croninger Elementary School - $11,000.00
- Fort Wayne Community Schools Anthis Career Center - $9,044.00

John Suarez moved approval of the above-mentioned Cable Fund Access Board Grant Recipient Contracts. Motion carried. Copies to be placed on file in vault.

9. Approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6831-02, Spring Street: Tyler to Wells increasing the contract price by $97,108.99. The original contract price was $401,198.05. The new contract price including this change order is $498,307.04;

Mike Fruchey, Transportation Engineering Services apprised the Board of the following: unforeseen conditions accounted for $58,886.00. An extension of limits of project to Sherman Blvd. requested by Councilman Tom Henry increased other quantities. Bill Dietrich requested tree removal due to conditions of trees. Steve Davis, Traffic Engineering, requested that signal conduit be extended to Sherman for signal interconnect.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6831-02, Spring Street: Tyler to Wells increasing the contract price by $97,108.99. Motion carried. Contract price to be increased.

10. Approval of Change Order #1 & FINAL received from Primco, Inc. for Improvement Resolution #6869-02, Fairfield Avenue Improvements increasing the contract price by $13,982.34. The original contract price was $211,735.05. The new contract price including this change order is $225,717.39;

Mike Fruchey, Transportation Engineering Services, said that this change order is due to the following: field conditions warranted full panels of concrete pavement instead of pavement patching; two items were increased as per Traffic Engineering for striping locations; line epoxy and transverse markings were added for a gore area on south end of job.

John Suarez moved approval of Change Order #1 & FINAL received from Primco, Inc. for Improvement Resolution #6869-02, Fairfield Avenue Improvements increasing the contract price by $13,982.34. Motion carried. Contract price to be increased.

11. Approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6870-02, Capitol Avenue increasing the contract price by $4,410.21. The original contract price was $156,408.50. The new contract price including this change order is $160,818.71;

Mike Fruchey, Transportation Engineering Services, said that this change order is due to the following; the major change item affecting this contract was #36 CO#1 milling. The decision to option for a total milled surface was based on the uneven profile areas between the recorded stations. Milling provided the opportunity to correct the situation. Other itemized adjustments of the estimated quantities directly reflect the changes due to the milling.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6870-02, Capitol Avenue increasing the contract price by $4,410.21. Motion carried. Contract price to be increased. Motion carried. Contract price to be increased.

12. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6874-02, Colonial Heritage Addition decreasing the contract price by $3,283.62. The original contract price was $89,269.50. The new contract price including this change order is $85,985.88;

Mike Fruchey, Transportation Engineering Services, sated that not all quantities wee necessary to complete project construction.

John Suarez moved approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6874-02, Colonial Heritage Addition decreasing the contract price by $3,283.62. Motion carried. Contract price to be decreased.

13. Approval of Change Order #1 & FINAL received from Land, Inc. for Improvement Resolution #6900-02, Wayne Trace Ditch Closure – 4300 block increasing the contract price by $6,761.10. The original contract price was $11,650.00. The new contract price including this change order is $18,411.10;

Mike Fruchey, Transportation Engineering Services, remarked that the gross increase of this project is attributed to the decision to include the East side of Wayne Trace within the proposed project limits and that the Council representative, managerial staff, and the Board of Works all agreed to this change.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Land, Inc. for Improvement Resolution #6900-02, Wayne Trace Ditch Closure – 4300 block increasing the contract price by $6,761.10. Motion carried. Contract price to be increased.

14. Approval of Construction Contract #6887-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Miscellaneous Package 2-A-02 in the amount of $37,303.00;

John Suarez moved approval of Construction Contract #6887-02 between Hipskind Concrete Corp. and the City of Fort Wayne for Miscellaneous Package 2-A-02 in the amount of $37,303.00. Motion carried. Notice to proceed to be sent.

15. Approval of Construction Contract #6903-02 between Brooks Construction Co., Inc and the City of Fort Wayne for Columbia Street: Clay Street to Railroad Viaduct in the amount of $13,925.15;

John Suarez moved approval of Construction Contract #6903-02 between Brooks Construction Co., Inc and the City of Fort Wayne for Columbia Street: Clay Street to Railroad Viaduct in the amount of $13,925.15. Motion carried. Notice to proceed to be sent.

16. Approval of Construction Contract #6904-02 between E & B Paving, Inc. and the City of Fort Wayne for Parkwest Center Access to Illinois Road, South in the amount of $19,912.59;

John Suarez moved approval of Construction Contract #6904-02 between E & B Paving, Inc. and the City of Fort Wayne for Parkwest Center Access to Illinois Road, South in the amount of $19,912.59. Motion carried. Notice to proceed to be sent.

17. Approval of recommendation to accept the work on the following projects as an integral part of the City's transportation system:

- Res. #6836-02, Misc. 6-A-02, Key Concrete
- Res. #6861-02, Melrose: Edith to Poinsette, All Star Const.

Denise Porter-Ross moved to accept the work on the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

18. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental investigation of evident fuel release at Basin C at the Wastewater Treatment Plant. Proposed services include data collection, administration, well drilling, soil and ground water sampling and analysis, report findings. Compensation for services performed shall be a fee not-to-exceed $9,815.80. City Engineering recommends approval;

Ted Rhinehart stated that old abandoned tanks have been removed at the Wastewater Treatment Plant and IDEM is requesting some additional sampling of the soil. Mr. Rhinehart said that no risks are involved.

John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the environmental investigation of evident fuel release at Basin C at the Wastewater Treatment Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. Approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the additional site investigation of Basin B, Wastewater Treatment Plant. Proposed services include: data collection, administration, well drilling, soil and ground water sampling and analysis, report findings. Compensation performed shall be a fee not to exceed $5,682.90. City Engineering recommends approval;

    John Suarez moved approval of Agreement between the City of Fort Wayne and SES Environmental to provide professional services for the additional site investigation of Basin B, Wastewater Treatment Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

20. Approval of Agreement between the City of Fort Wayne and Roy Buskirk Real Estate for buying services for an easement needed for the Camp Scott project. The cost of the agreement is not-to-exceed $1,250.00 for acquisition of an easement on one (1) parcel of property;

    Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Roy Buskirk Real Estate for buying services for an easement needed for the Camp Scott project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

21. **IMPROVEMENT RESOLUTION #1111-02,** Mount Vernon Park Addition – Water Main Replacement;

    Matt Wirtz, Planning & Design, remarked that this improvement is for approximately 7,340 l.f. of 6" and 8" water main, 15 fire hydrants, and 202 services.

    John Suarez moved approval of Improvement Resolution #1111-02. Motion carried. Copy to be herein incorporated. Advertise Notice to Contractors on 10/25/02 & 11/1/02 with date to receive bids on 11/13/02.

22. Approval of Notice of Water Main Extension associated with the installation of water main at the intersection of Coliseum Boulevard and Hillegas Road – Resolution #1093-01;

    Ron Sheppard, Engineering Support Services, stated that the service connection tap fee would be $29.35 for each foot of frontage served by said main.

John Suarez moved approval of Notice of Water Main Extension associated with the installation of water main at the intersection of Coliseum Boulevard and Hillegas Road – Resolution #1093-01. Motion carried. Copy to be sent to the Allen Country Recorder's office.

23. Approval of Amendment to Sewer Contract #2000-S-16 between Snell Property Investments, LLC and the Fort Wayne Water Pollution Control Utility. The contract adds 127 ft. of sewer adjacent to Dupont Road at the North Pointe Plaza Shopping Area;

Jack Suter, Development Services, apprised the Board that (1) paragraph no. 1 is amended by adding the following description of a sanitary sewer pipe:

Offsite sanitary: Pipe OS4X

Beginning at the aforementioned Manhole OS4: thence west 127± l.f. to manhole OX4X.

Said sewer to include: 2155± l.f. of 8" PVC Pipe; 10 (ten manholes).

(2) That the total value of said sanitary sewer system to be changed to $73,373.00.

(3) All other terms and conditions of Contract 2000-S-16 remain unchanged.

Denise Porter-Ross moved approval of Amendment to Sewer Contract #2000-S-16 between Snell Property Investments, LLC and the Fort Wayne Water Pollution Control Utility. Motion carried. The additional 127 ft. of sewer adjacent to Dupont Road at the North Pointe Plaza Shopping Area to be constructed.

24. Approval of Sewer Contract #2002-S-25 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sorrento Section I. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that said sewer to include: 3,827 l.f. of 8" and 2,624 l.f. of 10" PVC DSR 35; 26 manholes.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-25 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sorrento Section I. Motion carried. Sanitary sewer system to be constructed.

25. Approval of Sanitary Sewer Contract #2002-S-41 between Board of Commissioners of Allen County, IN and the Fort Wayne Water Pollution Control utility to construct a local sanitary sewer system to serve Sorrento Offsite to Tonkel Road. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, stated that said sewer to include: 1,570 l.f. of 10" PVC Pipe; 4 manholes.

Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-41 between Board of Commissioners of Allen County, IN and the Fort Wayne Water Pollution Control utility to construct a local sanitary sewer system to serve Sorrento Offsite to Tonkel Road. Motion carried. Sanitary sewer system to be constructed.

26. Approval of Water Contract #2002-S-19 between Creekwood Developers LLC and the Fort Wayne Water Utility to construct water main systems to serve Creekwood Section III. This project is located inside the City (PRIVATELY FUNDED);

Jack Suter, Development Services, stated that said water line to include: 232 l.f. of 6" ductile iron pipe, 1617 l.f. of 8" ductile iron pipe, 5 fire hydrants, 38-1" water service connections (includes water main tap, curb box and stop and in that portion of the service pipe between the tap and curb stop.

John Suarez moved approval of Water Contract #2002-S-19 between Creekwood Developers LLC and the Fort Wayne Water Utility to construct water main systems to serve Creekwood Section III. Motion carried. Water main systems to be constructed.

27. Approval of Revised Water Contract #2000-W-24 between Downey, LLC and the Fort Wayne Water Utility to construct water main systems to serve Metro Business Park. This project is located outside the City (PRIVATE & UTILITY CAPITAL FUNDED);

Jack Suter, Development Services said that several lots have been eliminated from this industrial park changing it to just one building site. Mr. Suter said that now said water line to include 1800 l.f. of 8" ductile iron water main, 154 l.f. of 16" ductile iron water main, 5 fire hydrants, and no water service taps.

Denise Porter-Ross moved approval of Revised Water Contract #2000-W-24 between Downey, LLC and the Fort Wayne Water Utility to construct water main systems to serve Metro Business Park. Motion carried. Water main systems to be constructed.

28. Approval of Construction Contract #1112-2002 between All Star Construction and the City of Fort Wayne for Burns Blvd. Water Main Replacement in the amount of $69,627.00;

John Suarez moved approval of Construction Contract #1112-2002 between All Star Construction and the City of Fort Wayne for Burns Blvd. Water Main Replacement in the amount of $69,627.00. Motion carried. Notice to proceed to be sent.

29. Approval of Construction Contract #681-02 between Reynolds Inc. and the City of Fort Wayne for Inwood Drive Combination Sewer Rehabilitation in the amount of $112,701.00 and Escrow Agreement for same. Fifth Third Bank is the Escrow Agent;

John Suarez moved approval of Construction Contract #681-02 between Reynolds Inc. and the City of Fort Wayne for Inwood Drive Combination Sewer Rehabilitation in the amount of $112,701.00 and Escrow Agreement for same. Motion carried. Contract to be sent to City Council. Escrow Agreement to be sent to the Escrow Agent.

30. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating on Water Contract #2002-W-04, Hawthorne Park Section V as an integral part of the City's water distribution system;

Denise Porter-Ross moved to accept the work performed by Kurt Excavating on Water Contract #2002-W-04. Motion carried. Acceptance letter to be sent.

31. Approval of Barrett Law Claims in the amount of $64,844.59;

John Suarez moved approval of Barrett Law Claims in the amount of $64,844.59. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

32. Approval of General Accounting Claims in the amount of $5,055,592.67;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $5,055,592.67. Motion carried. General Accounting Claims to be sent to the Department of Finance.

33. Old Business:

None.

34. New Business:

- Emergency Resolution for the repair of an existing 15" VCP combination sewer line in the alley behind 921 Columbia;

Mike Hicks, Planning & Design, said that Liberty Excavating, Geiger Developing and T & E were invited to submit quotes on said repair.

John Suarez moved approval of Emergency Resolution for the repair of an existing 15" VCP combination sewer line in the alley behind 921 Columbia. Motion carried. Purchasing to issue an emergency purchase order.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Mark Gensic, Pat Callahan, Mike Hicks, Doug Fasick, & Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Nancy Townsend, Development Services; Ron Sheppard, Engineering Support Services.

1. **RECEIVE BIDS:** RESOLUTION #671-02, Standish Drive, Pettit to Capital, Stormwater Drainage Improvements;

BIDDER	BASE BID
BERCOT INC.	79,376.00
CROSBY EXCAVATING INC.	71,696.25
DAFFORN EXCAVATING INC.	85,229.95
FLEMING EXCAVATING INC.	73,345.49
GEIGER EXCAVATING INC	81,827.00
KREAGER BROTHERS	88,310.00
LAND INC.	67,915.00
ENGINEERS ESTIMATE	**$84,122.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** RESOLUTION #672-02, Ventura Lane West Stormwater System Improvement

BIDDER	BASE BID
BERCOT INC.	59,649.00
CROSBY EXCAVATING INC.	56,268.00
DAFFORN EXCAVATING INC.	63,234.53
FLEMING EXCAVATING INC.	65,307.73
GEIGER EXCAVATING INC	57,923.00
KREAGER BROTHERS	69,408.40
LAND INC.	58,705.00
REINHART'S LANDSCAPING	62,950.00
ENGINEERS ESTIMATE	**$68,600.00**

Engineering Support Services to tabulate and report.

3. **AWARD:** Improvement Resolution #1525-02, Three Rivers Filtration Plant High Service Pumps 2 & 9 to Robicon for the Medium Voltage Variable Frequency Drives in the amount of $431,177.00 and GE Supply in the amount of $87,967.00 (these are both for supplying materials only);

John Suarez moved approval of award for Improvement Resolution #1525-02, Three Rivers Filtration Plant High Service Pumps 2 & 9 to Robicon for the Medium Voltage Variable Frequency Drives in the amount of $431,177.00 and GE Supply in the amount of $87,967.00 (these are both for supplying materials only). Motion carried. Purchasing to issue Purchase Order.

4. Approval of Board of Public Works Minutes of October 25, 2002;

Denise Porter-Ross moved approval of Board of Public Works Minutes of October 25, 2002. Motion carried. Minutes approved.

5. Approval of Agreement between the City of Fort Wayne Board of Public Works and Science Central allocating $40,000.00 from At-Large CEDIT Funds and $5,000.00 from 3rd District CEDIT funds for the installation of a new well pump;

John Suarez moved Approval of Agreement between the City of Fort Wayne Board of Public Works and Science Central allocating $40,000.00 from At-Large CEDIT Funds and $5,000.00 from 3rd District CEDIT funds for the installation of a new well pump. Motion carried. Copy to be placed on file in vault.

6. Approval of Agreement between the City of Fort Wayne Board of Public Works and Science Central allocating $3,620.42 from 3rd District CEDIT for the installation of tile flooring;

John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and Science Central allocating $3,620.42 from 3rd District CEDIT for the installation of tile flooring. Motion carried. Copy to be placed on file in vault.

7. Approval of recommendation received from Street Light Engineering to accept the work performed by Robert Henry Corp. on Improvement Resolution #281-02, Lima Valley Addition as an integral part of the City's street lighting system;

Denise Porter-Ross moved approval of recommendation received from Street Light Engineering to accept the work performed by Robert Henry Corp. on Improvement Resolution #281-02, Lima Valley Addition as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

8. Approval of Change Order #1 & FINAL received from Hipskind Concrete, Inc. for Improvement Resolution #6848-02, North Harrison Street: 3rd to 6th decreasing the contract amount of $1,234.36. The original contract price was $84,790.00. The new contract price including this change order is $83,555.64;

Mario Trevino, Transportation Engineering Services, said that this change order reveals a reduction in the total contract cost.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete, Inc. for Improvement Resolution #6848-02, North Harrison Street: 3rd to 6th decreasing the contract amount of $1,234.36. Motion carried. Contract price to be increased.

9. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Hipskind Concrete on Improvement Resolution #6848-02, North Harrison, 3rd to 6th as an integral part of the City's transportation system;

John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Hipskind Concrete on Improvement Resolution #6848-02, North Harrison, 3rd to 6th as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

10. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6891-02, Northside-Larez Neighborhood Capital Improvement Project as an integral part of the City's transportation system;

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Key Concrete, Inc. on Improvement Resolution #6891-02, Northside-Larez Neighborhood Capital Improvement Project as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

11. Approval of Pipeline Crossing agreement between CSX Transportation, Inc. and the Board of Public Works in connection with Camp Scott Railroad Permit. The total cost to the City is $7,200.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services, apprised the Board of the following: the permit is the railroad's form for an easement. It requires 2 types of insurance and a license fee. Risk Management is preparing certificates for one type of insurance and has recommended that we buy the other type from the railroad.

Moved approval of Pipeline Crossing agreement between CSX Transportation, Inc. and the Board of Public Works in connection with Camp Scott Railroad Permit. Motion carried. Copy to be placed on file in vault.

12. Approval of Professional Services Agreement between the City of Fort Wayne and Tetra Tech MPS to conduct the Vulnerability Assessment Study and Emergency Operating Plan for the Three Rivers Filtration Plant. The revised compensation for services performed shall be a fee of $95,000. Since they have agreed to reduce the fee by $20,000 from the original proposal of $115,000, Planning & Design Services recommend approval;

Mark Gensic, Planning & Design, apprised the Board of the following: this is something the City is mandated by the EPA to do and the City has been given a grant of $100,000 to cover most of this cost. This is in connection with Homeland Security.

Moved approval of Professional Services Agreement between the City of Fort Wayne and Tetra Tech MPS to conduct the Vulnerability Assessment Study and Emergency Operating Plan for the Three Rivers Filtration Plant. The revised compensation for services performed shall be a fee of $95,000. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. **IMPROVEMENT RESOLUTION #680-2002,** Taylor Street Combination Sewer Rehabilitation;

Mike Hicks, Planning & Design, said that this Resolution is for the rehabilitation of approximately 125 lf of 72" brick combination sewer using the Channeline method of repair for a cracked sewer line that was built in 1902.

John Suarez moved approval of IMPROVEMENT RESOLUTION #680-2002, Taylor Street Combination Sewer Rehabilitation. Motion carried. Copy to be herein incorporated. Advertise Notice to Contractors on 11/1 & 11/8/02 with date to receive bids on 11/20/02.

14. Approval of Change Order #1 and FINAL received from Crosby Excavating for Contract #1501-02, Covington Road North decreasing the contract price by $6,303.80. The original contract price was $58,439.40. The new contract price including this change order is $52,135.60;

Ron Sheppard, Engineering Support Services remarked that this change order if for a final quantities adjustment.

Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Crosby Excavating for Contract #1501-02, Covington Road North decreasing the contract price by $6,303.80. Motion carried. Contract price to be decreased.

15. Approval of recommendation received from Engineering Support Services to accept the work performed by Insituform Technologies for Contract #649-01, South Area Cured-In-Place Sewer Rehabilitation;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Insituform Technologies for Contract #649-01, South Area Cured-In-Place Sewer Rehabilitation. Motion carried. Acceptance letter to be sent.

16. Approval of recommendation received from Engineering Support Services to accept the work performed by Baughman, Inc. for Improvement Resolution #1521-02, Exterior Cleaning & Painting of 4 MG Southwest Concrete Ground Storage Tank;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Baughman, Inc. for Improvement Resolution #1521-02, Exterior Cleaning & Painting of 4 MG Southwest Concrete Ground Storage Tank. Motion carried. Acceptance letter to be sent.

17. Approval of recommendation received from Engineering Support Services to accept the work performed by Indiana Construction Corporation for Improvement Resolution #585-1998, Pleasant Avenue Pump Station;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Indiana Construction Corporation for Improvement Resolution #585-1998, Pleasant Avenue Pump Station. Motion carried. Acceptance letter to be sent.

18. Approval of Full Release of Escrow received from Indiana Construction for Improvement Resolution #585-1998, Pleasant Avenue Pump Station in the amount of $179,221.20. The Escrow Agent is Tower Bank;

Denise Porter-Ross moved approval of Full Release of Escrow received from Indiana Construction for Improvement Resolution #585-1998, Pleasant Avenue Pump Station in the amount of $179,221.20. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.

19. Approval of Full Release of Escrow received from Indiana Construction for Improvement Resolution #585-1998, Pleasant Avenue Pump Station in the amount of $179,221.20. ;

Denise Porter-Ross moved approval of Full Release of Escrow received from Indiana Construction for Improvement Resolution #585-1998, Pleasant Avenue Pump Station in the amount of $179,221.20. Motion carried. Full Release of Escrow to be sent the Escrow Agent.

20. Approval of General Accounting Claims in the amount of $20,759,685.13;

John Suarez moved approval of General Accounting Claims in the amount of $20,759,685.13 Motion carried. Claims to be sent to the Department of Finance.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2002-S-25, Sorrento Section I Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Kurtz Excavating for Sewer Contract #2002-S-25, Sorrento Section I Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

21. Old Business:

None.

22. New Business:

(I) Approval of Professional Services Agreement between the City of Fort Wayne and Abonmarche Consultants, Inc. to provide engineering and design services for the 4700 Block Stellhorn Road Sanitary Sewer Petition. This is a lump sum agreement in the amount of $3,900.00. Development Services recommend approval;

Nancy Townsend said that this project is for a sanitary sewer extension to serve 3 residential properties in the 4700 block of Stellhorn Road at the northwest corner of Stellhorn Road and Reed Road.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Abonmarche Consultants, Inc. to provide engineering and design

services for the 4700 Block Stellhorn Road Sanitary Sewer Petition. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

(2) Approval of Software Agreement between the City of Fort Wayne, Indiana and the City of Indianapolis and its Information Services Agency in connection with Barrett Law;

Ted Rhinehart said that this Agreement grants the City of Fort Wayne permission to use a copy of a software package in connection with some changes in the Barrett Law program.

Denise Porter-Ross moved approval of Software Agreement between the City of Fort Wayne, Indiana and the City of Indianapolis and its Information Services Agency in connection with Barrett Law. Motion carried. Copy to be placed on file in vault.

3) **EMERGENCY RESOLUTION,** 2604 St. Mary's Avenue;

Mike Hicks, Planning & Design, said that the existing storm inlets line have settled along the east edge of St. Mary's Avenue. Mr. Hicks said that Benchmark Const., Hipskind Concrete, and Brooks Construction will be invited to submit quotes on said repair.

John Suarez moved approval of Emergency Resolution for repair of storm inlets at 2604 St. Mary's Avenue. Motion carried. Emergency Purchase Order to be issued to the contractor chosen for said repair.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

OCTOBER 30, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:40 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Greg Meszaros, Chief of Engineering; Mark Gensic, Pat Callahan, Mike Hicks, Doug Fasick, & Mike Thornson, Planning & Design; Charles Bailey & Carl Wilson, Contract Compliance; Nancy Townsend, Development Services; Ron Sheppard, Engineering Support Services.

1. Approval of Board of Stormwater Management Minutes of October 16, 2002;

   Denise Porter-Ross moved approval of Board of Stormwater Management Minutes of October 16, 2002. Motion carried. Minutes approved.

2. Approval of Change Order #1 received from Land, Inc. for Improvement Resolution #647-02, Hickory Grove/Waycross Storm project increasing the contract amount by $20,929.00. The original contract price was $105,160.00. The new contract price including this change order is $126,089.00;

   Ron Sheppard, Engineering Support Services said that there were no patching quantities in the contract plus extra concrete and asphalt quantities were needed to repair the intersection and Road Surface at Waycross and Sundale resulting in the increase.

   John Suarez moved approval of Change Order #1 received from Land, Inc. for Improvement Resolution #647-02, Hickory Grove/Waycross Storm project increasing the contract amount by $20,929.00. Motion carried. Contract price to be increased.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Storm Sewer Contract #2002-ST-01, Walgreens Drug Store (State @ Wells St.) as an integral part of the City's storm drainage system;

   Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Fox Contractors on Storm Sewer Contract #2002-ST-01, Walgreens Drug Store (State @ Wells St.) as an integral part of the City's storm drainage system. Motion carried. Acceptance letter to be sent.

4. Old Business:

   None.

5. New Business:

Approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana to provide engineering & design services for the Parkerdale Storm Sewer Project. This is a lump sum agreement in the amount of $16,100.00. Development Services recommend approval;

Nancy Townsend, Development Services, said that this Agreement is for the design of a new storm sewer from the intersection of 47th Dr. and Parkerdale Dr. running south across private property to the south side of Evard Road; then running west along the south side of Evard Road and outfalling into an existing ditch that crosses Evard Road. The total project length is approximately 1,800 feet.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and DLZ Indiana to provide engineering & design services for the Parkerdale Storm Sewer Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

October 30, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Nancy Townsend, Development Services; Ray Wigfield, and Dan Smith, Engineering Support Services.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #645-02, East Shore Drive Sanitary Sewer.

   Nancy Townsend, Project Manager, explained the scope of the project.

   Ted Rhinehart asked for questions from the floor.

   Barbara York Meyer, 6020 East Shore inquired about how soon property owners can connect to the sewer and Nancy Townsend replied that they could connect tomorrow.

   Robert Johnson, 5938 East Shore Drive asked about Barrett Law.

   Marj Enders, Barrett Law Accounting, explained the Barrett Law process.
   Denise Porter-Ross moved to Confirm Assessment Roll for Improvement Resolution #645-02. Motion carried. Assessments to be mailed.

Hearing adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

October 30, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Nancy Townsend, Development Services; Ray Wigfield, and Dan Smith, Engineering Support Services.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution # 1501-02,Covington Road North Sanitary Sewer.

Nancy Townsend, Project Manager, explained the scope of the work.

Ted Rhinehart asked for comments for the floor.

John Riecke, 5544 Covington Road, inquired about the maximum time for connection and Nancy Townsend replied that it would be within 90 days after a letter from the Allen County Board of Health notification.

Marj Enders, Barrett Law Accountant, explained the Barrett Law process.
John Suarez moved to confirm Assessment Roll for Improvement Resolution #1501-02, Covington Road North Sanitary Sewer. Motion carried. Assessments to be sent.

Hearing adjourned at 10:25 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

October 30, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, BOPW; Marj Enders, Barrett Law Accountant; Nancy Townsend, Development Services; Ray Wigfield, and Dan Smith, Engineering Support Services.

1. FINAL Hearing to Confirm Assessment Roll for Improvement Resolution #619-2000, Pine Lane Sanitary Sewer.

Nancy Townsend explained the scope of the project.

Ted Rhinehart read into the record a letter from Edward J. Flynn, 4006 Reed Road. Mr. Rhinehart then asked for questions from the floor.

Josef Florin of 3972 Reed Road expressed his complaints about the restoration and also about a spot in his driveway and Charles E. Oberlin, 3966 Reed Road also expressed concerns about the restoration.

Ted Rhinehart asked the staff to monitor these problems and hold retainage until the final restoration is completed.

Marj Enders, Barrett Law Accountant, explained the Barrett Law process.
John Suarez moved to confirm Assessment Roll for Improvement Resolution #619-2000. Motion carried. Assessments to be mailed.

Hearing adjourned at 10:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, John Suarez, Carolyn Newport, BOPW; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Jack Suter, Development Services; Jim Howard, Associate City Atty.; Greg Meszaros, Chief of Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Pat Callahan, Planning & Design. Denise Porter-Ross, absent.

1. Approval of Board of Public Works Minutes of October 30, 2002 and Final Assessment Hearing Minutes of October 30, 2002 for Res. #645-02, East Shore Drive Sanitary Sewer, Res. #1501-02, Covington Road North Sanitary Sewer, and Res. #619-2000, Pine Lane Sanitary Sewer;

   John Suarez moved approval of Board of Public Works Minutes of October 30, 2002 and Final Assessment Hearing Minutes of October 30, 2002 for Res. #645-02, East Shore Drive Sanitary Sewer, Res. #1501-02, Covington Road North Sanitary Sewer, and Res. #619-2000, Pine Lane Sanitary Sewer. Motion carried. Minutes approved.

2. **AWARD:** Three Rivers Filtration Plant masonry restoration and concrete repairs totaling $147,350.00 to Kemna Restoration & Construction and for door replacement/repairs totaling $13,774.00 to Central Indiana Hardware;

   John Suarez moved approval of award for Three Rivers Filtration Plant masonry restoration and concrete repairs totaling $147,350.00 to Kemna Restoration & Construction and for door replacement/repairs totaling $13,774.00 to Central Indiana Hardware. Motion carried. Notice of awad to be sent. Property Management to prepare contracts.

3. **RESOLUTION** Authorizing Lease in Support of the Automated Reading System By the Board of Public Works, City of Fort Wayne, Indiana;

   Jim Howard, Associate City Attorney, apprised the Board of the following: the City of Fort Wayne previously approved a contract for the procurement and installation of Automated Meter Reading devices throughout the City. The contract requires the City of Fort Wayne to provide facilities to be used by United Metering Installation. The Utility has obtained a satisfactory facility at a very reasonable price. The facility is located at 4115 North Clinton Street and contains approximately 4,000 square feet. The monthly fee is $750.00 and the lease runs from November 1, 200 through October 31, 2003.

John Suarez moved approval of Resolution Authorizing Lease in Support of the Automated Reading System by the Board of Public Works, City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

4. Approval of Agreement between the City of Fort Wayne and GAI Consultants /to provide professional services for the field survey of improvements to Main Street: Jefferson Blvd. to Leesburg Road. Proposed improvements include rehabilitation of cement concrete pavement. Compensation for services performed shall be a lump sum fee of $11,900.00. City Engineering recommends approval;

David Ross, City Engineer, said that the field survey includes engineering drawings showing existing topography, profile grade, cross sections, driveway approaches and utilities.

John Suarez moved approval of Agreement between the City of Fort Wayne and GAI Consultants /to provide professional services for the field survey of improvements to Main Street: Jefferson Blvd. to Leesburg Road. Proposed improvements include rehabilitation of cement concrete pavement. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. Approval of Agreement between the City of Fort Wayne and Indiana Department of Transportation for the acquisition of land for public right-of-way purposes for improvements to St. Joseph Center Road from St. Joe Road to Reed Road. City Engineering recommends approval;

John Suarez moved approval of Agreement between the City of Fort Wayne and Indiana Department of Transportation for the acquisition of land for public right-of-way purposes for improvements to St. Joseph Center Road from St. Joe Road to Reed Road. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

6. Approval of Change Order #1 and FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6860-02, Prange Drive: Tacoma to Beaver decreasing the contract price by $132.69. The original contract price was $72,456.50. The new contract price including this change order is $72,323.81;

Mario Trevino, Transportation Engineering Services, said that this Change Order reflects quantities used to complete the project.

John Suarez moved approval of Change Order #1 and FINAL received from Hipskind Concrete Corp. for Improvement Resolution #6860-02, Prange Drive: Tacoma to Beaver decreasing the contract price by $132.69. Motion carried. Contract price to be decreased.

7. Approval of Change Order #1 and FINAL received from G. E. Minear Const. for Improvement Resolution #6882-02, Chickasaw Drive decreasing the contract price by $4,463.69. The original contract price is $48,995.20. The new contract price including this change order is $44,531.51;

Mario Trevino, Transportation Engineering Services, remarked that a decrease in total quantities necessary for completion of project was encountered.

John Suarez moved approval of Change Order #1 and FINAL received from G. E. Minear Const. for Improvement Resolution #6882-02, Chickasaw Drive decreasing the contract price by $4,463.69. Motion carried. Contract price to be decreased.

8. Approval of Change Order #1 and FINAL received from Key Concrete Inc. for Improvement Resolution #6884-02, Public Sidewalk Curb Ramp Pkg. 7-2002 increasing the contract price by $11,254.00. The original contract price was $93,775.00. The new contract price including this change order is $105,029.00;

   Mario Trevino, Transportation Engineering Services, informed the Board that this Change Order is necessary because of the following:

   - An extension of removal of curb was necessary to provide proper drainage adjacent to the wing-walk/ramp area.
   - An increase of concrete curb type I-B is a direct correlation to the decision to extend the curb.
   - Casting Type A and C were required when the existing castings were found in disrepair and in need of replacement.

   John Suarez moved approval of Change Order #1 and FINAL received from Key Concrete Inc. for Improvement Resolution #6884-02, Public Sidewalk Curb Ramp Pkg. 7-2002 increasing the contract price by $11,254.00. Motion carried. Contract price to be increased.

9. Approval of Change Order #1 and FINAL received from Key Concrete, Inc. for Improvement Resolution #6891-02, Northside/Larez Neighborhood increasing the contract price by $4,482.45. The original contract price was $76,058.00. The new contract price including this change order is $80,540.45;

   Mulched seeding and stump removal raised the grade of sidewalk to allow for proper drainage resulting in this increase.

   John Suarez moved approval of Change Order #1 and FINAL received from Key Concrete, Inc. for Improvement Resolution #6891-02, Northside/Larez Neighborhood increasing the contract price by $4,482.45. Motion carried. Contract price to be increased.

10. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement #6903-02, Columbia St.: Clay to Railroad Viaduct requesting an increase of 30 days for completion of this contract, making the date for completion of all work November 15, 2002;

    This time extension is needed because of the delay in awarding the project.

    John Suarez moved approval of Change Order #1 received from Brooks Construction Co., Inc. for Improvement #6903-02, Columbia St.: Clay to Railroad Viaduct requesting an increase of 30 days for completion of this contract, making the date for completion of all work November 15, 2002. Motion carried. Contract price to be increased.

11. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the preliminary engineering of Subbasin S02-008. The cost of the work is a not-to-exceed sum of $140,000.00. Planning and Design Services recommend approval;

Pat Callahan, Planning & Design said that this project is part of the Combined Sewer Capacity Improvement Program and it will identify specific projects and design criteria that will reduce basement backups and sewer overflows in this sewer subbasin.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the preliminary engineering of Subbasin S02-008. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

12. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the preliminary engineering of Subbasin K06-290A. The cost of the work is a not-to-exceed sum of $180,000.00. Planning and Design Services recommend approval;

Pat Callahan, Planning & Design said that this project is part of the Combined Sewer Capacity Improvement Program and it will identify specific projects and design criteria that will reduce basement backups and sewer overflows in this sewer subbasin.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the preliminary engineering of Subbasin K06-290A. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

13. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the St. Joe Dam to Filtration Plant 42" diameter raw water mains pre-inspection assessment and inspection methodology and cost estimate. Compensation for services performed shall be $33,300.00. Planning and Design Services recommend approval;

Mark Gensic, Planning & Design, apprised the Board of the following: Fort Wayne City Utilities has two raw water transmission mains that transport raw water from Low Service Pump Station to the influent of the Three Rivers Filtration Plant. The mains, east 42-inch in diameter, span over two miles in distance and include a river crossing. The mains were constructed in 1934 (steel, cement line in 1954) and in 1953 (concrete pressure pipe). These transmission mains have not been inspected for integrity and obstruction since 1954. Under this scope of work, the condition of the raw water transmission mains will be assessed and any needed cleaning or repairs of the mains will be recommended.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for the preliminary engineering of Subbasin K06-290A. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. Approval of Professional Services Agreement between the City of Fort Wayne and Design Collaborative to provide professional services for the electrical engineering and design modifications to the Water Booster Stations electrical distribution system to accept connection to a portable emergency generator at the Northwest Pumping Station, Southwest Pumping Station and the West Pumping Station. Compensation for services performed shall be $12,200.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design, stated that the proposed modifications include: installation of electrical throw-over switch, receptacle to accept generator and operating procedures.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Design Collaborative to provide professional services for the electrical engineering and design modifications to the Water Booster Stations electrical distribution system to accept connection to a portable emergency generator at the Northwest Pumping Station, Southwest Pumping Station and the West Pumping Station. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

15. Approval of Amendment to the Resolution of the Board of Public Works to Establish Area Connection Fees for St. Joe Regional Service Sewer Plan, Shed 2C South and East;

Jack Suter, Development Services, said that this Resolution addresses area assessment fees for areas undergoing development to be served by the new Hawthorne Park Lift Station.

John Suarez moved approval of Amendment to the Resolution of the Board of Public Works to Establish Area Connection Fees for St. Joe Regional Service Sewer Plan, Shed 2C South and East. Motion carried. Copy to be herein incorporated.

16. Approval of Sanitary Sewer Contract #2002-S-42 between R. H. Smith, Jr. & Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Wayne Haven Industrial Park South. This project is located within the city limits of New Haven. Fort Wayne City Utilities has a contractual agreement to provide sewage treatment for New Haven. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that said sewer to include 555 l.f. of 8" PVC Pipe.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-42 between R. H. Smith, Jr. & Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Wayne Haven Industrial Park South. Motion carried. Sanitary sewer system to be constructed.

19. Approval of Sanitary Sewer Contract #2002-S-43 between All Star Construction and Excavating, Inc . and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Ardmore Avenue. This project is inside the City. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this sewer would serve 5 ½ acres and would include 1,002.50 l.f. of 8" PVC pipe. Mr. Suter mentioned that this is a reimbursement contract.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-43 between All Star Construction and Excavating, Inc . and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Ardmore Avenue. Motion carried. Sanitary sewer system to be constructed.

20. Approval of Sanitary Sewer Contract #2002-S-44 between AZ Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Knolls of Ardmore Section III. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that the proposed sewer would serve a 33 lot subdivision and would include 1,300 l.f. of 8" PVC pipe.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-44 between AZ Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Knolls of Ardmore Section III. Motion carried. Sanitary sewer system to be constructed.

17. Approval of Water Contract #2002-W-20 between Fort Wayne Parks and Recreation Board of Park Commissions and the Fort Wayne Water Utility to construct a water main system to serve McMillen Park Water Main Extension to serve new Restroom Building. This project is inside the City (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that said water line to include 450 l.f. of 6" ductile iron pipe.

John Suarez moved approval of Water Contract #2002-W-20 between Fort Wayne Parks and Recreation Board of Park Commissions and the Fort Wayne Water Utility to construct a water main system to serve McMillen Park Water Main Extension to serve new Restroom Building. Motion carried. Water main system to be constructed

18. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction and Excavating, Inc. on Improvement Resolution #645-02, East Shore Drive Sanitary Sewer as an integral part of the City's transportation system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction and Excavating, Inc. on Improvement Resolution #645-02, East Shore Drive Sanitary Sewer as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

19. Approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction, Inc. on Sanitary Sewer Contract #2002-S-29, Stone Canyon Section I Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Liberty Construction, Inc. on Sanitary Sewer Contract #2002-S-29, Stone Canyon Section I Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

20. Approval of recommendation received from Engineering Support Services to accept the work performed by Zahm Excavating of Sanitary Sewer Contract #2002-S-34, Bridgedale Terrace Apartments as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Zahm Excavating of Sanitary Sewer Contract #2002-S-34, Bridgedale Terrace Apartments as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating on Improvement Resolution #1096-01, Pinewood & Orchard Lane Water Main Replacement as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Dafforn Excavating on Improvement Resolution #1096-01, Pinewood & Orchard Lane Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

22. Approval of Full Release of Escrow received from Dafforn Excavating on Improvement Resolution #1096-01, Pinewood & Orchard Lane Water Main Replacement. The Escrow Agent is Grabill Bank;

John Suarez moved approval of Full Release of Escrow received from Dafforn Excavating on Improvement Resolution #1096-01, Pinewood & Orchard Lane Water Main Replacement. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.

23. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating on Improvement Resolution #1087-01, Corvalis/Orchard Lane Water Main Replacement as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating on Improvement Resolution #1087-01, Corvalis/Orchard Lane Water Main Replacement as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

24. Approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction and Excavating, Inc. on Improvement Resolution #1089-01, Hacienda Village Water Main as an integral part of the City's water distribution system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by All Star Construction and Excavating, Inc. on Improvement Resolution #1089-01, Hacienda Village Water Main as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

25. Approval of Authorization for Full Release of Escrow from All Star Construction and Excavating for Improvement Resolution #1089-01, Hacienda Village Water Main Extension Project in the amount of $10,221.05. Bank One is the Escrow Agent;

John Suarez moved approval of Authorization for Full Release of Escrow from All Star Construction and Excavating for Improvement Resolution #1089-01, Hacienda Village Water Main Extension Project in the amount of $10,221.05. Motion carried. Full Release of Escrow to be sent to the Escrow Agent.

26. Approval of Authorization for Release of Escrow received from Bowen Engineering Corporation received from Bowen Engineering Corporation for Contract #00-W-01, Filter Backwash System Project in the amount of $66,423.10. The Escrow Agent is Bank One;

John Suarez moved approval of Authorization for Release of Escrow received from Bowen Engineering Corporation received from Bowen Engineering Corporation for Contract #00-W-01, Filter Backwash System Project in the amount of $66,423.10. Motion carried. Release of Escrow to be sent to the Escrow Agent.

27. Approval of write-off of City Utilities delinquent revenue accounts for the month of August, 2002 in the amount of $37,136.06;

John Suarez moved approval of write-off of City Utilities delinquent revenue accounts for the month of August, 2002 in the amount of $37,136.06. Motion carried. Delinquent revenue accounts to be sent to a collection agency.

28. Approval of General Accounting Claims in the amount of $3,796,654.39;

John Suarez moved approval of General Accounting Claims in the amount of $3,796,654.39. Motion carried. Claims to be sent to the Department of Finance.

29. Old Business:

None.

30. New Business:

(I) Approval of recommendation received from Engineering Support Services to accept the work performed by Scheidleman Excavating, Inc. on Sewer Contract #2002-S-20, Perry Lake, Section VII Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Scheidleman Excavating, Inc. on Sewer Contract #2002-S-20, Perry Lake, Section VII Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

Meeting adjourned at 9:45 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

November 6, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:45 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, John Suarez, Carolyn Newport, BOPW; Mario Trevino, Transportation Engineering Services; David Ross, City Engineer; Jack Suter, Development Services; Jim Howard, Associate City Atty.; Greg Meszaros, Chief of Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic & Pat Callahan, Planning & Design. Denise Porter-Ross, absent..

1. Approval of Board of Stormwater Management Minutes of October 30, 2002;

   John Suarez moved approval of Board of Stormwater Management Minutes of October 30, 2002. Motion carried. Minutes approved.

2. **AWARD:** Improvement Resolution #671-02, Standish Drive, Pettit to Capitol Stormwater Drainage to Land, Inc. in the amount of $67,915.00. Contract Compliance concurs with this award;

   John Suarez moved approval of award for Improvement Resolution #671-02 to Land, Inc. in the amount of $67,915.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. Approval of recommendation received from Engineering Support Services to accept the work performed by Benchmark Construction LLC on Sewer Contract #2002-ST-02, Kamen Corporation Storm Sewer as an integral part of the City's storm drainage system;

   John Suarez moved to accept the work performed by Benchmark Construction LLC on Sewer Contract #2002-ST-02. Motion carried. Acceptance letter to be sent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

NOVEMBER 13, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESSENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; Jim Howard, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Nancy Townsend & Mary Jane Slaton, Development Services; Mario Trevino & Mike Fruchey, Transportation Engineering Services; David Ross, City Engineering; Matthew Wirtz, Planning & Design; Ron Sheppard, Engineering Support Services; Steve Crosby, Crosby Excavating. John Suarez, absent.

1. **RECEIVE BIDS:** RESOLUTION #1111-02, Mount Vernon Park Addition Water Main Replacement

BIDDER	**BASE BID - DIP**	**ALT. BID - HDPE**
DAFFORN EXCAVATING		$418,186.50
FLEMING EXCAVATING	$817,777.89	$651,709.44
KREAGER BROTHERS	$559,553.00	
ENG. EST.	$690,000.00	$500,000.00

Engineering Support Services to tabulate and report.

2. Approval of Capital Asset Policy;

Pulled for further review.

3. Approval of Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler System Inc. granting permission to place a lawn irrigation system to encroach in the right-of-way at Fairfield Avenue and Home Avenue. The Encroachment License Agreement Committee recommends approval.

Denise Porter-Ross moved to approve the Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler System Inc. Motion carried. Copy to be forwarded to the Allen County Recorders Office.

4. Approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the right-of-way engineering of improvements to Pontiac St. and Wayne Trace Intersection. Proposed services include legal descriptions and land plats. Compensation for services performed shall be 5 parcels at $950.00 per parcel or total of $4,750.00. City Engineering recommends approval;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and American Consulting, Inc. to provide professional services for the right-of-way engineering of improvements to Pontiac St. and Wayne Trace Intersection. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

5. Approval of Special Street Permit granting Creekwood Developers, L.L.C. to construct the following streets in Creekwood Section III:

   - Myanna Lane
   - Monte Avenue
   - Hilmer Court

   Mike Fruchey, Transportation Engineering Services, said that this development is now located in the 2nd Council District and contains 38 residential lots.

   Denise Porter-Ross moved approval of Special Street Permit granting Creekwood Developers, L.L.C. to construct the above-mentioned streets in Creekwood Section III. Motion carried. Streets to be constructed.

6. Approval of Change Order #1 & FINAL received from Garcia Concrete Construction, Inc. for Improvement Resolution #6850-02, Wohoma Drive: Maplewood Rd. to Hopewell Dr. decreasing the contract price by $2,521.90. The original contract price was $38,641.86. The new contract price including this change order is $36,119.96;

   Mario Trevino, Transportation Engineering Services, said that several property owners, prior to Contractor's arrival, fixed drives and sidewalks, reducing the estimate.

   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Garcia Concrete Construction, Inc. for Improvement Resolution #6850-02, Wohoma Drive: Maplewood Rd. to Hopewell Dr. decreasing the contract price by $2,521.90. Motion carried. Contract price to be decreased.

7. Approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6888-02, Misc. Concrete Pkg. 2-B-02 increasing the contract amount by $26,767.91. The original contract price was $164,721.00. The new contract price including this change order is $191,488.91;

   Mario Trevino, Transportation Engineering Services, stated that insufficient quantities set up for construction of this project were encountered and ten out of twenty-one bid items set up were over planned quantity.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Newell Construction Co., Inc. for Improvement Resolution #6888-02, Misc. Concrete Pkg. 2-B-02 increasing the contract amount by $26,767.91. Motion carried. Contract price to be increased.

8. Approval of Construction Contract #6905-02 between Garcia Concrete Construction and the City of Fort Wayne for East Central-Larez Neighborhood – Alleys in the amount of $61,385.00;

Denise Porter-Ross moved approval of Construction Contract #6905-02 between Garcia Concrete Construction and the City of Fort Wayne for East Central-Larez Neighborhood – Alleys in the amount of $61,385.00. Motion carried. Notice to proceed to be sent.

9. Approval of recommendation received from Transportation Engineering Services to accept the following projects as an integral part of the City's transportation system:

- Res. #6879-02, Public Sidewalk Curb Ramps 2002 – Key Concrete
- Res. #6781-01, McKinnie Circle - Bunn, Inc.
- Res. #6868-02, Resurfacing Pkg. 2-2002 – Brooks Const. Co., Inc.
- Res. #6882-02, Chickasaw Drive – G. E. Minear

Denise Porter-Ross moved to accept the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

10. Approval of Camp Scott Railroad Permit. The total cost to the City is $12,830.00;

Pat Callahan, Planning & Design, apprised the Board of the following: the permit is the railroad's form for an easement. It requires 2 types of insurance and a license fee. Risk Management is preparing certificates for one type of insurance and has recommended that we buy the other type from the railroad.

Denise Porter-Ross moved approval of Camp Scott Railroad Permit. Motion carried. Copy to be placed on file in vault.

11. Approval of Professional Services Agreement between Gensic Engineering and the City of Fort Wayne for Effie Drive Sanitary Sewer Extension Project. The cost of the agreement is not-to-exceed $3,400.00. Planning & Design Services recommend approval;

Mary Jane Slaton, Development Services, apprised the Board of the following: there are six homes that are involved in this project and four have failing septic systems. The petitioners had already contracted with Gensic Engineering to do the design work on this. The engineering has reached the point where it is more expensive than they are prepared to pay. The City is willing to take over their contract and finish the engineering, pay for the rest of it, and then allocate some of the cost back to them through the petition process after the first of the year. They will be annexed effective the end of December, so they will be eligible for Barrett Law in 2003.

Mark Gensic with Planning & Design is not involved in any way in this process.

Denise Porter-Ross moved approval of Professional Services Agreement between Gensic Engineering and the City of Fort Wayne for Effie Drive Sanitary Sewer Extension Project. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

12. Approval of Water Contract #2002-W-21 between AZ Development and the City of Fort Wayne to construct water main systems to serve Knolls of Ardmore Section III. This project is outside the City (PRIVATELY FUNDED);

    Jack Suter, Development Services, said that this development is for a 33-lot subdivision.

    Denise Porter-Ross moved approval of Water Contract #2002-W-21 between AZ Development and the City of Fort Wayne to construct water main systems to serve Knolls of Ardmore Section III. Motion carried. Water main system to be constructed.

13. Approval of Full Release of Escrow received from Fleming Excavating on Improvement Resolution #1087-01, Corvalis/Orchard Lane Water Main Replacement. Decatur Bank & Trust Co. is the Escrow Agent;

    Denise Porter-Ross moved approval of Full Release of Escrow received from Fleming Excavating on Improvement Resolution #1087-01, Corvalis/Orchard Lane Water Main Replacement. Motion carried. Release of Escrow to be sent to the Escrow Agent.

14. Approval of Barrett Law Claims in the amount of $141,039.72;

    Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $141,039.72. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

15. Approval of General Accounting Claims in the amount of $2,592,935.90;**Denise Porter-Ross moved approval of General Accounting Claims in the amount of $2,592,935.90; Denise Porter-Ross motioned General Accounting Claims. Motion carried. Claims to be sent to the Department of Finance.**

16. Old Business:

    None.

17. New Business:

    Approval of Intergovernmental Memorandum of Understanding between the Fort Wayne Board of Public Works and the Board of Park Commissioners, City of Fort Wayne. This MOU identifies the responsibilities of the Board of Park Commissioners with respect to the Camp Scott Project. Planning & Design Services recommend approval.

    Pat Callahan, Planning & Design, remarked that this Memorandum outlines the responsibility that City Utilities would build the force main and pump station and the constructed wetlands at Camp Scott and that the Parks Department would give the City some easements across the McMillen Park property.

Denise Porter-Ross moved approval of Intergovernmental Memorandum of Understanding between the Fort Wayne Board of Public Works and the Board of Park Commissioners, City of Fort Wayne. Motion carried. Copy to be placed in vault once the agreement is executed by the Board of Park Commissioners.

Approval of Emergency Resolution for repair of an existing 12" VCP combination line on Freeman; Denise Porter-Ross motioned Emergency Resolution for repair of an existing 12" VCP combination line on Freeman.

Mike Hicks, Planning & Design, said that this is located on the west edge of Freeman right at the intersection of Freeman and Portage and the segment is approximately 320 feet long.

Denise Porter-Ross moved approval of Emergency Resolution for repair of an existing 12" VCP combination line on Freeman; Denise Porter-Ross motioned Emergency Resolution for repair of an existing 12" VCP combination line on Freeman. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 9:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

NOVEMBER 13, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:30 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESSENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; Jim Howard, Associate City Attorney; Charles Bailey & Carl Wilson, Contract Compliance; Jack Suter, Nancy Townsend & Mary Jane Slaton, Development Services; Mario Trevino & Mike Fruchey, Transportation Engineering Services; David Ross, City Engineering; Matthew Wirtz, Planning & Design; Ron Sheppard, Engineering Support Services; Steve Crosby, Crosby Excavating. John Suarez, absent.

1. Approval of recommendation received from Engineering Support Services to reject the first two bids on Improvement #672-02, Ventura Lane West Stormwater System Improvements and award the contract to the third lowest bidder, Land, Inc. in the amount of $58,705.00;

   Ron Sheppard, Engineering Support Services, apprised the Board of the following: the contractor with the lowest bid, Crosby Excavating, Inc., did not sign the "Acknowledgement of Receipt of Addenda". Mr. Crosby did start to acknowledge that he had received the addendum and has addendum #1 marked at the top of the sheet and the date, but it did lack the signature.

   The second lowest bidder was Geiger Excavating. According to the contract specifications, no more than 5% of the total contract price can be used for Mobilization/Demobilization. Unfortunately, they were over 9%. The third lowest bidder, Land, Inc., for this project has satisfied these requirements.

   Mr. Sheppard stated that equity for all bidders is insured when the City follows rules and regulations for the process and that he had conferred with the Associate City Attorney, Jim Howard on this matter.

   Mr. Sheppard said that in another situation similar to this, the contractor had not made an attempt to acknowledge the addendum.

   Ted Rhinehart inquired what information that the addendum contained.

   Mr. Sheppard said that the addendum contained some minor scope changes.

   Ted Rhinehart acknowledged that he had received a letter from Steve Crosby, Owner of Crosby Excavating, Inc.

Steve Crosby apprised the Board of the following; on Bid Page 9, the note said that "any form of correction within the area of unit prices, extensions or total on this bid must be initialed by the bidder and will be noted at the time of the opening." Mr. Crosby said that he understood this to be signed if there were corrections made to the bid and as there were no corrections made on this bid, he did not sign the Contractor Line.

Ted Rhinehart said that the Board wants the bids to be complete and the statute reveals that bids should be responsible and responsive and the issue of responsiveness looks at compliance of specifications, the acknowledgement of the financial forms, affirmative action plan on file, emerging business requirements, and other components in our general specifications as well as bid requirements.

Ted Rhinehart said that the Board does have the authority to waive issues of non-responsiveness and weigh how serious those are.

Jim Howard, Associate City Attorney, stated that the Board does have the authority to waive issues of non-responsiveness.

Denise Porter-Ross said that based on the information given and the advice of counsel, that the acknowledgement of the receipt of the addendum by virtue of the additional audit and information received will be sufficient evidence to declare this as a valid bid. Denise Porter-Ross moved approval of award for Improvement Resolution #672-02 to Crosby Excavating, Inc. in the amount of $56,268.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

2. Approval of Storm Contract # 2002-ST-05 between Creekwood Developers LLC and the City of Fort Wayne to construct a local storm drainage system for Creekwood Section III (PRIVATELY FUNDED);

Denise Porter-Ross moved approval of Storm Contract # 2002-ST-05 between Creekwood Developers LLC and the City of Fort Wayne to construct a local storm drainage system for Creekwood Section III. Motion carried. Storm Drainage system to be constructed.

3. **IMPROVEMENT RESOLUTION #1559-02,** Lake Avenue/Maplecrest Road Drainage Improvement Project;

Nancy Townsend, Planning & Design, said that this Improvement Resolution is for approval to make spot drainage improvements in an area identified through the Customer Services Surveys and that the improvement would performed by an outside contractor at a lump sum cost of $49,715.00.

Denise Porter-Ross moved approval of Improvement Resolution #1559-02. Motion carried. Copy to be herein incorporated.

4. **IMPROVEMENT RESOLUTION #1560-02,** Chivington Drive Drainage Project;

Nancy Townsend, Planning & Design, stated that this Improvement Resolution is for approval to make spot drainage improvements in an area identified through the Customer Service Surveys and that the improvement would be performed by an outside contractor at a lump sum cost of $15,434.00.

Denise Porter-Ross moved approval of Improvement Resolution #1560-02. Motion carried. Copy to be herein incorporated.

5. Old Business:

None.

6. New Business:

None.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

November 13, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; Jeff Grogg, Transportation Engineering; Marj Enders, Barrett Law Department. No property owners were in attendance.

Final Hearing to confirm Assessment Roll for Improvement Resolution #6854-02, Sherwood Terrace West: Hartman Road to Stratford Road.
Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6854-02. Motion carried. Assessments to be sent.

Hearing adjourned at 10:05 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

November 13, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: Ted Rhinehart, Denise Porter-Ross, Carolyn Newport, BOPW; Marj Enders, Barrett Law; Jeff Grogg, Transportation Engineering Services. John Suarez, absent.

Final Hearing to confirm Assessment Roll for Improvement Resolution #6856-02, Maple Grove Avenue: Calhoun to Montrose and Calumet to Lafayette.

Jeff Grogg, Project Engineer, explained the scope of the work. Jeff Grogg reported that the 10' walk would be replaced at 266 Maple Grove Avenue due to damage due to restoration.

Ted Rhinehart asked for comments from the floor.

Dennis Salazar of 4721 Lafayette Esplanade, stated that the blacktop surface doesn't look finished and Jeff Grogg stated that he would check on it.

Marj Enders, Barrett Law Accountant explained the Barrett Law process.

Denise Porter-Ross moved to confirm Assessment Roll for Improvement Resolution #6856-02. Motion carried. Assessments to be sent.

Hearing adjourned at 10:30 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

NOVEMBER 20, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, and Carolyn Newport, BOPW; Charles Bailey & Carl Wilson, Contract Compliance; David Ross, City Engineer; Jim Howard, Associate City Attorney; Ron Sheppard, Engineering Support Services; Mike Fruchey, Transportation Engineering Services; Rick Orr, Right-of-Way; Heather Burdick, Controller's Office; Mark Gensic, Pat Callahan, & Matthew Wirtz, and Mike Hicks, Planning & Design. John Suarez, absent.

1. **RECEIVE BIDS:** RESOLUTION #680-02, Taylor Street Combined Sewer Rehabilitation

BIDDER	
AFFHOLDER	**$208,000.00**
LIQUI-FORCE SERVICES INC	**$238,750.00**
ENG. EST.	**$255,000.00**

Engineering Support Services to tabulate and report.

2. **RECEIVE BIDS:** RESOLUTION #6878-02, Leesburg Road: Main Street to Spring Street

BIDDER	
ALL STAR CONSTRUCTION	**$412,644.00**
BROOKS CONSTRUCTION	**$465,955.00**
HIPSKIND CONCRETE	**$400,081.00**
WAYNE ASPHALT	**$424,335.00**
ENG. EST.	**$553,535.00**

Transportation Engineering Services to tabulate and report.

3. **AWARD:** Improvement Resolution #1111-02, Mount Vernon Park Addition Water Main Replacement to Dafforn Excavating in the amount of $418,187.00 for the HDPE Alternate. Contract Compliance concurs with this award;

   Denise Porter-Ross moved approval of award to Improvement Resolution #1111-02 to Dafforn Excavating in the amount of $418,187.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

4. Approval of Board Public Works Minutes of November 13, 2002 and Public Hearing Minutes of November 13, 2002 for Improvement Resolution #6854-02, Sherwood Terrace West and Improvement Resolution #6856-02, Maple Grove Avenue;

   Denise Porter-Ross moved approval of Board Public Works Minutes of November 13, 2002 and Public Hearing Minutes of November 13, 2002 for Improvement Resolution #6854-02, Sherwood Terrace West and Improvement Resolution #6856-02, Maple Grove Avenue. Motion carried. Minutes approved.

5. **RESOLUTION** Granting Extension of Time for Filing Due Diligence Report in Support of Confirming Resolution #89-211-1 by the Board of Public Works, City of Fort Wayne, Indiana;

   Jim Howard, Associate City Attorney, apprised the Board of the following: the Board of Public Works confirmed and reaffirmed its desire to condemn and appropriate certain water and wastewater utility property of Utility Center, Inc. d/b/a/ AquaSource in its Resolution #89-211-11, made on the 10th of July, 2002. In order to accurately assess the value of the relevant AquaSource assets, pursuant to the condemnation, it was necessary for the Board to receive a due diligence or other alternate valuation report. The Board required that a due diligence report or other alternate evaluation report be presented to the Board no later than September 9, 2002. The City is working to AquaSource to obtain the information and while AquaSource is cooperating to supplying the data, additional time is required in order to provide a thorough valuation report to the Board in support of its condemnation.

   This Resolution resolves that the Board of Public Works extends its deadline to the Board no later than March 31, 2003.

   Denise Porter-Ross moved approval of RESOLUTION Granting Extension of Time for Filing Due Diligence Report in Support of Confirming Resolution #89-211-1 by the Board of Public Works, City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

6. Approval of Revised Capital Asset Policy;

Ted Rhinehart apprised the Board of the following: this revision is due to new requirements set forth by the Governmental Accounting Standards Board (GASB) Statement No. 34 for state and local governments. The City of Fort Wayne is required by this statement to implement the changes by the year ending December 31, 2002. The major changes reflected in the GASB 34 are the capitalization of infrastructure assets and the depreciation of City Assets.

The revised Capital Asset Policy has been reviewed the Government Finance Officers Association and has been deemed in compliance with all new regulations and guidelines.

Denise Porter-Ross moved approval of Revised Capital Asset Policy. Motion carried. Revised Capital Asset Policy approved.

7. Approval of Letter of Commitment received from Salin Bank guaranteeing funds to pay for the infrastructure cots of $585,010.00 to the City of Fort Wayne for Canyons of North Pointe Woods, Section I;

Denise Porter-Ross moved approval of Letter of Commitment received from Salin Bank guaranteeing funds to pay for the infrastructure cots of $585,010.00 to the City of Fort Wayne for Canyons of North Pointe Woods, Section I. Motion carried. Copy to be placed on file.

8. Approval of secondary subdivision plat for Canyons of North Pointe Woods, Section I;

Denise Porter-Ross moved approval of secondary subdivision plat for Canyons of North Pointe Woods, Section I. Motion carried. Secondary subdivision plat to be sent to City Planning.

9. Approval of Agreement between the City of Fort Wayne and Burgess & Niple, Limited to provide professional services for the design engineering of improvements to Lahmeyer Road & St. Joseph Center Road Intersection. Proposed improvements include new traffic control signal system; pavement widening for turn lanes. Compensation for services performed shall be a not-to-exceed fee of $43,700.00. City Engineering recommends approval;

David Ross, City Engineer, apprised the Board of the following: the purpose of the proposed project is to improve both St. Joseph Center Road and Lahmeyer Road. The intersection will receive new left turn lanes for south approach on Lahmeyer Road and the east approach on St. Joseph Center Road. The west approach will receive a right turn lane. The installation of these turn lanes will require minor widening and some additional right-of-way. The project will also include a new traffic signal pavement marking, new driveway approach with new culvert, and possibly an enclosed storm sewer to drain side ditches. No significant environmental documentation will be required as part of this project.

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne and Burgess & Niple, Limited to provide professional services for the design engineering of improvements to Lahmeyer Road & St. Joseph Center Road Intersection. Motion carried. Copy to be placed on file. Notice to proceed to be sent.

10. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement #6859-02, Packard Avenue: South Wayne to Indiana increasing the contract price by $4,441.84. The original contract price was $55,636.75. The new contract price including this change order is $60,078.59;

    Mike Fruchey, Transportation Engineering Services, said that this change order was due to stump removal for curb placement and pavement removal and replacement.

    Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction for Improvement #6859-02, Packard Avenue: South Wayne to Indiana increasing the contract price by $4,441.84. Motion carried. Contract price to be increased.

11. Approval of Change Order #1 & FINAL received from Lights & Signals, Inc. for Improvement Resolution #279-02, Hacienda Village Street Light Improvement decreasing the contract amount by $771.60. The original contract price was $59,947.75. The new contract price including this change order is $59,176.15;

    Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Lights & Signals, Inc. for Improvement Resolution #279-02, Hacienda Village Street Light Improvement decreasing the contract amount by $771.60. Motion carried. Contract price to be decreased.

12. Approval of recommendation received from Street Light Engineering/Operations to accept the work performed by Lights & Signals, Inc. on Improvement Resolution #279-02, Hacienda Village Street Light Improvement as an integral part of the City's street lighting system;

    Denise Porter-Ross moved approval of recommendation received from Street Light Engineering/Operations to accept the work performed by Lights & Signals, Inc. on Improvement Resolution #279-02, Hacienda Village Street Light Improvement as an integral part of the City's street lighting system. Motion carried. Acceptance letter to be sent.

13. Approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates for Telemetry Improvements – Phase 2 Design, Construction and Programming. The not-to-exceed amount for this contract is $79,624.00. Planning & Design Services recommend approval;

    Mark Gensic, Planning & Design, said that the scope of the project is for the following:

    - Testing of existing equipment
    - Replace the dual repeater radios at Fire Station #13
    - Equipment upgrade at the Three Rivers Water Filtration Plant Master panel for telemetry
    - St. Joe Dam emergency stop controls for raw water pumps

Denise Porter-Ross moved approval of Engineering Services Agreement between the City of Fort Wayne and Donohue & Associates for Telemetry Improvements – Phase 2 Design, Construction and Programming. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

14. **IMPROVEMENT RESOLUTION #1113-02,** Glenhurst, Merivale, Rolston & Springfield Water Main Replacement;

Matthew Wirtz, Planning & Design, remarked that this Resolution orders the construction of approximately 2,880 LF of 6" water main, five fire hydrants, 55 services and all appurtenances necessary for this project.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1113-02, Glenhurst, Merivale, Rolston & Springfield Water Main Replacement. Motion carried. Copy to be herein incorporated. Bids to be received on December 11, 2002.

15. **IMPROVEMENT RESOLUTION #1514-03,** Camp Scott Wetlands Phase III – A, B, & C;

Pat Callahan, Planning & Design, said the this Resolution orders the construction of native wetlands for the purpose of storing and treating stormwater collected from the neighborhoods west of McMillen Park. The construction site is on the property east of Wayne Trace, north of Moeller Road (Oxford St.) south of the former Conrail/Pennsylvania Railroad yard, and west of Bueter Road in southeast Fort Wayne. Mr. Callahan said that the first phase of this project would be out for bid next week with bids to be received on December 18th.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #1514-03, Camp Scott Wetlands Phase III – A, B, & C. Motion carried. Copy to be herein incorporated.

16. Approval of Change Order #1 received from All Star Construction & Excavating for Improvement Resolution #583-1998, Forest Avenue Storm Sewer Improvement increasing the contract price by $111,600.00. The original contract price was $1,198,601.50. The new contract price including this change order is $1,310,201.50;

Ron Sheppard, Engineering Support Services, apprised the Board of the following: existing lead water services cannot be adequately repaired as the new sewer is installed. Compaction of material installed above a repaired lead service can (and previously has) result in the connection coming apart. This is something we do not want happening after the asphalt trench repair has been made and a surface overlay is done. This additional work will also necessitate 20 working days be added to the contract for completion.

Denise Porter-Ross moved approval of Change Order #1 received from All Star Construction & Excavating for Improvement Resolution #583-1998, Forest Avenue Storm Sewer Improvement increasing the contract price by $111,600.00. Motion carried. Contract price to be increased.

17. Approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Improvement Resolution #645-02, East Shore Drive Sanitary decreasing the contract price by $6,986.10. The original contract price was $49,832.80. The new contract price including this change order is $42,846.70;

Ron Sheppard, Engineering Support Services, remarked that this Change Order is due to a final quantities adjustment.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Improvement Resolution #645-02, East Shore Drive Sanitary decreasing the contract price by $6,986.10. Motion carried. Contract price to be decreased.

18. Approval of recommendation received from Engineering Support Services to accept the following work as an integral part of the City's sanitary sewer system;

San. Sewer Contract #2001-S-16, Perry Lake Estates-Falcon Creek Addition Sanitary Pump Station Upgrade – Scheidleman Excavating

San. Sewer Contract #2002-S-16, Sandy Pointe Offsite Sanitary – Frontier Contractors

Sanitary sewer Contract #2002-S-33, Hickory Pointe Section I San. – Kurtz Excavating

Res. #1501-01, Covington Road North San. – Crosby Excavating

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the above-mentioned projects as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent.

19. Approval of Barrett Law Claims in the amount of $89,723.33;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $89,723.33. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

20. Approval of General Accounting Claims in the amount of $11,376,100.63;

Denise Porter-Ross moved approval of General Accounting Claims in the amount of $11,376,100.63. Motion carried. Claims to be sent to the Department of Finance.

21. Old Business:

None.

22. New Business:

Approval of Change Order #2 & FINAL received from Wayne Asphalt & Const. for Improvement Resolution #6834-02, Hobson Road: Lake Avenue to State Blvd. increasing the contract price by $24,563.75. The original contract price was $331,100.64. The new contract price including this change order is $361,041.39;

David Ross, City Engineer, said that traffic caused deterioration to pavement and pavement was removed and replaced with deep street asphalt.

Denise Porter-Ross moved approval of Change Order #2 & FINAL received from Wayne Asphalt & Const. for Improvement Resolution #6834-02, Hobson Road: Lake Avenue to State Blvd. increasing the contract price by $24,563.75. Motion carried. Contract price to be increased.

Approval of Letter to Fort Wayne Parks & Recreation Board regarding sanitary sewer service to the areas near Buckner Park.

Jack Suter, Development Services, said the letter reviews the Board of Works request for sanitary sewer easement rights across the Buckner Park Real Estate. In addition to reviewing the Boards interest in minimizing tree loss, the letter highlights the monetary savings to the park system by a gravity sewer system and the advantages of advance planning of the infrastructure system

Denise Porter-Ross moved approval of Letter to Fort Wayne Parks & Recreation Board regarding sanitary sewer service to the areas new Buckner Park. Motion carried Letter to be sent.

Meeting adjourned at 9:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

NOVEMBER 20, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:35 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: Ted Rhinehart, Denise Porter-Ross, and Carolyn Newport, BOPW; Charles Bailey & Carl Wilson, Contract Compliance; David Ross, City Engineer; Jim Howard, Associate City Attorney; Ron Sheppard, Engineering Support Services; Mike Fruchey, Transportation Engineering Services; Rick Orr, Right-of-Way; Heather Burdick, Controller's Office; Mark Gensic, Pat Callahan, & Matthew Wirtz, and Mike Hicks, Planning & Design. John Suarez, absent.

1. Approval of Board of Stormwater Management Minutes of November 13, 2002;
Denise Porter-Ross moved approval of Stormwater Management Minutes of November 13th. Motion carried. Minutes approved.

2. Approval of Construction Contract #671-02 between Land, Inc. and the City of Fort Wayne for Standish Drive, Pettit to Capitol Stormwater Drainage Improvements in the amount of $67,915.00;
Denise Porter-Ross moved approval of Construction Contract #671-02 between Land, Inc. and the City of Fort Wayne for Standish Drive, Pettit to Capitol Stormwater Drainage Improvements in the amount of $67,915.00. Motion carried. Notice to proceed to be sent.

3. Old Business: None.

4. New Business: None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

NOVEMBER 27, 2002

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic & Matthew Wirtz, Planning & Design; Jim Howard, Associate City Attorney; Mike Fruchey, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance.

1. **AWARD:** Improvement Resolution #6878-02, Leesburg Road: Main Street to Spring Street to Hipskind Concrete in the amount of $400,081.00. Contract Compliance concurs with this award. **PRIOR APPROVAL REQUESTED**;

   Denise Porter-Ross oved approval of award for Improvement Resolution #6878-02 to Hipskind Concrete in the amount of $400,081.00. Motion carried. Notice of award to be sent. City Engineering to prepare contracts.

2. Approval of Board of Public Works Minutes of November 6, 2002 and November 20, 2002;

   John Suarez moved approval of Board of Public Works Minutes of November 6, 2002 and Denise Porter-Ross moved approval of Board of Public Works Minutes of November 20, 2002. Motion carried. Minutes of November 6, 2002 and November 20, 2002 approved.

3. **RESOLUTION** approving Agreement with MacDonald Machinery Company, Inc. for Settlement Concerning Dispute Over Dynapac Paver Model F30-4W By the Board of Public Works City of Fort Wayne, Indiana;

   Jim Howard, Associate City Attorney, apprised the Board of the following: the City of Fort Wayne purchased a Dynapac Paver Model F30-4W in May of 2001 through MacDonald Machinery Company, Inc. The City believes that such machine has experienced an abnormal number of problems and has contemplated revocation of its acceptance. The Contractor has proposed and the City has accepted an exchange of its current paver for a new paver with value being given by the City for its use of the current paver.

Denise Porter-Ross moved approval of RESOLUTION approving Agreement with MacDonald Machinery Company, Inc. for Settlement Concerning Dispute Over Dynapac Paver Model F30-4W By the Board of Public Works City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

4. Approval of request from Tin Maung Zaw, 516 Corwin Lane, to sign up for the Barrett Law process in connection with Improvement Resolution #6755-01, Corwin Lane Project;

   Denise Porter-Ross moved approval of request from Tin Maung Zaw, 516 Corwin Lane, to sign up for the Barrett Law process in connection with Improvement Resolution #6755-01, Corwin Lane Project. Motion carried. Tin Maung Zaw to sign up for the Barreet Law process.

5. Approval of Warranty Deed conveying property from City of Fort Wayne to Ty and Ky Tang. The property is the remnant from property acquired for additional public right-of-way to construct the State Blvd. and Wells Street Intersection Project. Ty and Ky Tang were the successful bidders at public auction. City Engineering recommends approval;

   Held for further review.

6. Approval of Agreement between the City of Fort Wayne and Gregory A. and Lesa A. Langston to provide recorded responsibilities for an existing septic system in property being acquired for public right-of-way for improvements to Huguenard Road: Washington Center Road to Ludwig Road. Proposed responsibilities include: City allowing encroachment in right-of-way, commitment to repair system or replace with sanitary sewer main if system fails; owner accepting offer to purchase; effort to operate and maintain. City Engineering recommends approval;

   John Suarez moved approval of Agreement between the City of Fort Wayne and Gregory A. and Lesa A. Langston to provide recorded responsibilities for an existing septic system in property being acquired for public right-of-way for improvements to Huguenard Road: Washington Center Road to Ludwig Road. Motion carried. Copy to be placed on file in vault.

7. Approval of Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc. to provide professional services for the appraisal of property for Pontiac St. & Wayne Trace Intersection. Proposed services include: appraisals for five (5) parcels, 11 parts. Compensation for services performed shall be a fee not-to-exceed $12,100.00. City Engineering recommends approval;

   John Suarez moved approval of Agreement between the City of Fort Wayne and Griffin Real Estate Services, Inc. to provide professional services for the appraisal of property for Pontiac St. & Wayne Trace Intersection. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

8. Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group to provide professional services for additional work of improvements to Ardmore Avenue Extension. Proposed improvements include: investigation and secure alternative site for wetland mitigation. Compensation for services performed shall be an increase of $20,500.00 funded through the CEDIT Account ($4,100.00) and Federal Aid ($16,400.00). City Engineering recommends approval;

David Ross, City Engineer, apprised the Board of the following: there have been changes in the INDOT design manual, standards and specifications. The current design plan needs to be updated and modified to meet the current INDOT design and standards. The original engineering fee did not include extra work.

Denise Porter-Ross moved approval of Supplemental Agreement No. 3 between the City of Fort Wayne and Bonar Group to provide professional services for additional work of improvements to Ardmore Avenue Extension. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. **EMERGENCY RESOLUTION** authorizing Bunn Inc. to seal off the low flow drainage going under the box culvert on the west side of Freeman Street along Jefferson Blvd. and redirect to box culvert entrance at a cost of $5,150.00;

David Ross, City Engineer, apprised the Board of the following: Bunn, Inc. completed transportation capital improvements which included the extension of a box culvert along Jefferson Blvd. at Freeman St. early in year 2002. City Utilities Development discovered a low volume drainage stream flowing under extended box culvert entrance to possible abandoned utility duct at west side of Freeman Street. The drainage stream flowing under the box culvert could potentially undermine the structure or freeze causing structure to heave and severely damage the new improvement. This Resolution authorizes Bunn Inc. to seal off the low flow drainage and redirect to the box culvert entrance.

John Suarez moved approval of EMERGENCY RESOLUTION authorizing Bunn Inc. to seal off the low flow drainage going under the box culvert on the west side of Freeman Street along Jefferson Blvd. and redirect to box culvert entrance at a cost of $5,150.00. Motion carried. Copy to be herein incorporated.

10. Approval of Change Order #1 & FINAL received from Primco for Improvement Resolution #6844-02, Baylor Drive: Drake to Colgate increasing the contract price by $10,365.98. The original contract price was $138,653.25. The new contract price including this change order is $149,019.23;

Mike Fruchey, Transportation Engineering, said that Special Structure Inlet Type 4-E was added for increased drainage relief at the Baylor and Colgate Cul-de-sac.

Denise Porter- Ross moved approval of Change Order #1 & FINAL received from Primco for Improvement Resolution #6844-02, Baylor Drive: Drake to Colgate increasing the contract price by $10,365.98. Motion carried. Contract price to be increased.

11. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6885-02, Public Sidewalk Curb Ramp Pkg. VIII-2002 decreasing the contract price by $2,494.80. The original contract price was $138,140.00. The new contract price including this change order is $135,645.20;

Mike Fruchey, Transportation Engineering Services, said that final tabulation of quantities reveals a deduction of $2,494.80.

John Suarez moved approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6885-02, Public Sidewalk Curb Ramp Pkg. VIII-2002 decreasing the contract price by $2,494.80. Motion carried. Contract price to be decreased.

12. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6875-02, Victoria Drive – Inwood Dr. to Eastern Terminus increasing the contract amount by $5,181.80. The original contract price was $116,011.10. The new contract price including this change order is $121,192.00;

Mike Fruchey, Transportation Engineering Services, said that additional aggregate for roadway base construction was required and the roadway was built on existing base and inadequate quantity of stone was estimated. Mr. Fruchey stated that there was also an inadequate quantity, as per plans for sub-surface drain necessary for completion.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction Co., Inc. for Improvement Resolution #6875-02, Victoria Drive – Inwood Dr. to Eastern Terminus increasing the contract amount by $5,181.80. Motion carried. Contract price to be increased.

13. Approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction Co. Inc. for Improvement Resolution #6881-02, Allendale Drive: Belle Vista Blvd. to Gilbert Avenue increasing the contract price by $629.04. The original contract price was $173,759.00. The new contract price including this change order is $174,388.04;

Mike Fruchey, Transportation Engineering Services, remarked that less topsoil was needed to complete the project.

John Suarez moved approval of Change Order #1 & FINAL received from Wayne Asphalt & Construction Co. Inc. for Improvement Resolution #6881-02, Allendale Drive: Belle Vista Blvd. to Gilbert Avenue increasing the contract price by $629.04. Motion carried. Contract price to be increased.

14. Approval of Change Order #1 & FINAL received from Brooks Construction Co. for Improvement Resolution #6787-01, Evard Road & St. Joe Road Intersection decreasing the contract price by $1,319.40. The original contract price was $184,947.65. The new contract price including this change order is $183,628.26;

Mike Fruchey, Transportation Engineering Services, said that this change order was necessary to adjust contract quantities to reflect improvement constructed.

John Suarez moved approval of Change Order #1 & FINAL received from Brooks Construction Co. for Improvement Resolution #6787-01, Evard Road & St. Joe Road Intersection decreasing the contract price by $1,319.40. Motion carried. Contract price to be increased.

15. Approval of Change Order #2 & FINAL received from Brooks Construction Co. for Improvement Resolution #6897-02, Coombs Street Railroad Viaduct increasing the contract price by $6,616.20. The original contract price was $123,917.62. The new contract price including this change order is $142,193.82;

    David Ross, City Engineer, said that this change order is due to the following:

    Removal of concrete sidewalk

    Stone for drainage

    Concrete sidewalk

    John Suarez moved approval of Change Order #2 & FINAL received from Brooks Construction Co. for Improvement Resolution #6897-02, Coombs Street Railroad Viaduct increasing the contract price by $6,616.20. Motion carried. Contract price to be increased.

16. Approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6863-02, Resurfacing Pkg. 1-2002 decreasing the contract amount by $7,436.26. The original contract price was $557,812.60. The new contract price including this change order is $550,376.34.

    Mike Fruchey, Transportation Engineering Services said that this change order is due to the following:

    Eight additional streets added to the project replacing utility conflict areas

    The remaining quantities were either added or subtracted from the original contract in order to complete project construction

    Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Bunn, Inc. for Improvement Resolution #6863-02, Resurfacing Pkg. 1-2002 decreasing the contract amount by $7,436.26. Motion carried. Contract price to be decreased.

17. Approval of recommendation received from Transportation Engineering Services to accept the following work as an integral part of the City's transportation system;

    Res. #6812-01, Moeller Rd.: Meyer to Adams Center – Bunn Excavating

    Res. #6854-02, Sherwood Terrace: Hartman to Stratford – Hipskind Concrete

    Res. #6856-02, Maple Grove: Calhoun St. to Lafayette –Hipskind Concrete

    Res. #6869-02, Fairfield Ave. South: Tillman to Fairwick– Primco, Inc.

    John Suarez moved to accept the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

18. Approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates for the Existing Chlorination System Evaluation at the Water Pollution Control Plant. The contract amount for the work is not to exceed $8,500.00;

Mark Gensic, Planning & Design Services, said that Donohue shall provide the City professional engineering services to develop procurement documents for a contractor to provide the non-destructive examination and subsequent evaluation of necessary improvements to the City of Fort Wayne WPCP Chlorination System. Examination will be conducted by qualified contractor under separate contract to the City.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne and Donohue & Associates for the Existing Chlorination System Evaluation at the Water Pollution Control Plant. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

19. **IMPROVEMENT RESOLUTION #1561-02,** Bass Road: Hillegas to Fall Creek Water Main and Contract #1561-02 between the City of Fort Wayne and Fleming Excavating in the amount of $19,800.00;

Matt Wirtz, Planning & Design, apprised the Board of the following: this Resolution orders the construction of approximately 330 LF of 12" water main, 110 LF of 24" casing, one fire hydrant, one valve, and all other appurtenances for this project.

Said improvements with all their appurtenances shall be construction via a sole source contract with Fleming Excavating, Inc. Fleming Excavating is the utility subcontractor for the INDOT/Allen County Highway Hillegas Road extension project, and is currently working along Bass Road installing other utilities in preparation for the new Hillegas pavement to be installed in the Spring of 2003. Fleming has past experience installing water mains for the City of Fort Wayne and their proposal was both cost effective and advantageous to the City of Fort Wayne and Allen County Highway.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1561-02, Bass Road: Hillegas to Fall Creek Water Main and Contract #1561-02 between the City of Fort Wayne and Fleming Excavating in the amount of $19,800.00. Motion carried. Copy of Resolution to be herein incorporated. Notice to proceed to be sent.

20. Approval of Sewer Contract #2002-S-46 between Chapel Ridge Investors, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Chapel Ridge Outlots. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that the sewage will go into the North Maumee Lift Station and said sewer would include 1,874 l.f. of 8" PVC Pipe.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-46 between Chapel Ridge Investors LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Chapel Ridge Outlots. Motion carried. Sanitary sewer to be constructed.

21. Approval of recommendation received from Engineering Support Services to accept the work performed by Dehner Construction on Improvement Resolution #619-02, Pine Lane Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved to accept the work performed by Dehner Construction on Improvement Resolution #619-02. Motion carried. Acceptance letter to be sent.

22. Approval of Barrett Law Claims in the amount of $118,706.01;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $118,706.01 Motion carried. Barrett Law Claims to be sent to the Department of Finance.

23. Approval of General Accounting Claims in the amount of $22,084,593.14;

John Suarez moved approval of General Accounting Claims in the amount of $22,084,593.14. Motion carried. General Accounting Claims to be sent to the Department of Finance.

24. Old Business:

None.

25. New Business:

None.

Meeting adjourned at 9:30 a.m.

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST:

Carolyn S. Newport, Clerk

NOVEMBER 27, 2002

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:35 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic & Matthew Wirtz, Planning & Design; Jim Howard, Associate City Attorney; Mike Fruchey, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance.

1. Approval of Board of Stormwater Management Minutes of November 6, 2002 and November 20, 2002;

   John Suarez moved approval of Stormwater Management Minutes of November 6, 2002 and Denise Porter-Ross moved approval of Stormwater Management Minutes of November 20, 2002. Motion carried. Minutes approved.

2. Approval of Change Order #1 and FINAL received from Geiger Developing for Improvement Resolution #646-01, Log Cabin Storm Sewer Project decreasing the contract price by $1,590.00. The original contract price was $46,152.00. The new contract price including this change order is $44,562.00;

   Ron Sheppard, Engineering Support Services, said that this change order is for final quantities adjustment.

   Denise Porter-Ross moved approval of Change Order #1 and FINAL received from Geiger Developing for Improvement Resolution #646-01, Log Cabin Storm Sewer Project decreasing the contract price by $1,590.00. Motion carried. Contract price to be decreased.

3. Approval of Construction Contract #672-2002, Ventura Lane West Stormwater System Improvements between Crosby Excavating and the City of Fort Wayne in the amount of $56,268.00;

   John Suarez moved approval of Construction Contract #672-2002, Ventura Lane West Stormwater System Improvements between Crosby Excavating and the City of Fort Wayne in the amount of $56,268.00. Motion carried. Notice to proceed to be sent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Pat Callahan, Mike Thornson, Mike Hicks, and Paul Powers, Planning & Design; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Ken Nicolet, Customer Services; Justin Bruegger, Division of Public Works.

1. Approval of Board of Public Works Minutes of November 27, 2002;

   Denise Porter-Ross moved approval of Board of Public Works Minutes of November 27, 2002. Motion carried. Minute approved.

2. Agreement between the City of Fort Wayne Board of Public Works and the Branning Hills Neighborhood Association whereas the Board of Public Works agrees to allocate $4,000.00 from 6th District CEDIT Funds to install entrance signs for Branning Hills Association;

   John Suarez moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Branning Hills Neighborhood Association whereas the Board of Public Works agrees to allocate $4,000.00 from 6th District CEDIT Funds to install entrance signs for Branning Hills Association. Motion carried. Copy to be placed on file in vault.

3. Approval of Change Order #2 received from All Star Construction & Excavating on Improvement Resolution #6736-01, Clinton Street – Coldwater to Coliseum increasing the contract price by $104,378.22. The original contract price was $776,888.50. The new contract price including this change order is $937,192.00;

   David Ross, City Engineer, apprised the Board of the following: the main reason for the increase was because of installation of a relocated water main. The other changes were increases in bid item units necessary to construct the project, due to water main relocation and inadequate road quantities.

   Denise Porter-Ross moved approval of Change Order #2 received from All Star Construction & Excavating on Improvement Resolution #6736-01, Clinton Street – Coldwater to Coliseum increasing the contract price by $104,378.22. Motion carried. Contract price to be increased.

4. Approval of Change Order #1 & FINAL received from Brooks Construction Company for Improvement Resolution #6867-02, Courtwood Dr./Kirkfield Dr. increasing the contract price by $8,432.93. The original contract price was $279,065.15. The new contract price including this change order is $287,498.08;

Mario Trevino, Transportation Engineering Services, apprised the Board of the following: additional milling was required which was not planned due to existing deep asphalt. Another pass in some areas required more square yards to mill. Due to poor subgrade, additional excavation and stone was added in several areas in order to stabilize the base. Storm line for a drainage problem at 3415 Courtwood Drive was installed at the recommendation of stormwater engineering.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Brooks Construction Company for Improvement Resolution #6867-02, Courtwood Dr./Kirkfield Dr. increasing the contract price by $8,432.93. Motion carried. Contract price to be increased.

5. Approval of Change Order #1 & FINAL received from LSI for Improvement Resolution #6896-02, Indiana Ave. & Rudisill Blvd. Signalization decreasing the contract price by $2,960.90. The original contract price was $56,783.91. The new contract price including this change order is $53,823.00;

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from LSI for Improvement Resolution #6896-02, Indiana Ave. & Rudisill Blvd. Signalization decreasing the contract price by $2,960.90. Motion carried. Contract price to be decreased.

6. Approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Co., Inc. on Improvement Resolution #6888-02, Miscellaneous Construction Package 2-B-02 as an integral part of the City's transportation system;

John Suarez moved approval of recommendation received from Transportation Engineering Services to accept the work performed by Newell Construction Co., Inc. on Improvement Resolution #6888-02, Miscellaneous Construction Package 2-B-02 as an integral part of the City's transportation system. Motion carried. Acceptance letter to be sent.

7. Approval of Amendment #1 to Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for additional design services for the Neuhaus Sanitary Sewer Interceptor Extension – Phase II. The amendment is for an additional $42,000.00 and increases the not-to-exceed amount for this Contract to $185,000.00. Planning & Design Services recommend approval;

Paul Powers, Planning & Design, said that the scope of work includes the following:

Local & classify all trees 8-inches and larger on the Bucker Farm property that fall within a 120-foot corridor for the proposed interceptor sewer.

Perform wetlands delineation & necessary wetland permitting for project area.

Survey and design spur line to serve 8 properties on Bass Rd. west of Thomas Road.

Denise Porter-Ross moved approval of Amendment #1 to Agreement between the City of Fort Wayne, Indiana and D. A. Brown Engineering Consultants, Inc. for additional design services for the Neuhaus Sanitary Sewer Interceptor Extension – Phase II. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

8. Approval of Amendment #1 to the Contract for Professional Engineering Services between the City and Malcolm Pirnie, Inc. for additional management services through December 31, 2002 for Water Distribution System Program. The amendment is for an additional $51,494.00 and increases the not-to-exceed amount $342,950.00. Planning & Design Services recommend approval;

Greg Meszaros, Chief of Engineering, said that Amendment #1 extends the Contract for the rest of the year and provides program managers who provide leadership in capital programs.

John Suarez moved approval of Amendment #1 to the Contract for Professional Engineering Services between the City and Malcolm Pirnie, Inc. for additional management services through December 31, 2002 for Water Distribution System Program. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. Approval of **Resolution** Revising Sewer Rules and Regulations of the Fort Wayne Water Pollution Control Utility;

Jim Howard, Associate City Attorney, apprised the Board of the following: the staff conducted a review of said regulations and have determined that clarification was needed with regard to the necessity of recordation to validate a "contract purchaser" and staff recommends that the definition of "Owner" on page 7 of said regulations be amended as follows: "Owner" – Designates the person holding the deed or record title to a premises. For the purposes of these Rules and Regulations, a contract purchaser is considered an owner of an equitable interest in the subject real estate. Recordation of said contract is not necessary to validate said interest."

Denise Porter-Ross moved approval of Resolution Revising Sewer Rules and Regulations of the Fort Wayne Water Pollution Control Utility. Motion carried. Copy to be herein incorporated.

10. **IMPROVEMENT RESOLUTION #1555-03,** Biosolids Facility Office and Employee Area;

Mark Gensic, Planning & Design Services, stated that this Resolution orders the design and construction of a building addition to the Maintenance Building at the Biosolids Facility in order to provide additional office space and other employee area at that location.

John Suarez moved approval of IMPROVEMENT RESOLUTION #1555-03, Biosolids Facility Office and Employee Area. Motion carried. Copy to be herein incorporated.

11. **RESOLUTIONS** for Elimination of Reimbursement Fees for the Shackelford Lift Station;

Jack Suter, Development Services, informed the Board of the following: the resolutions eliminate the collection and reimbursement of fees associated with the construction of the Shackelford Lift Station, backup power and telemetry for same. For those areas that would have been served by the station, the resolution also provides that a portion of fees collected from the North East area assessment fees be reimbursed to the Contributor of Sewer Contract S-92-42 until such time as the total fees eligible for reimbursement have been paid or until July 14, 2006, whichever event occurs first.

A second resolution eliminates telemetry fees associated with the lift station that would have been paid to the City.

Denise Porter-Ross moved approval of RESOLUTIONS for Elimination of Reimbursement Fees for the Shackelford Lift Station. Motion carried. Copy to be herein incorporated.

12. Approval of Sanitary Sewer Contract #2002-S-38 between Mill Ridge Development, Corp. and the Fort Wayne Water Pollution Utility to construct a local sanitary sewer to serve Mill Ridge- St. Joe Center Road. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services said that this sewer would serve four residential properties. The fees would be paid back to the original contributor.

John Suarez moved approval of Sanitary Sewer Contract #2002-S-38 between Mill Ridge Development, Corp. and the Fort Wayne Water Pollution Utility to construct a local sanitary sewer to serve Mill Ridge- St. Joe Center Road. Motion carried. Sanitary sewer to be constructed.

13. Approval of Sanitary Sewer Contract #2002-S-47 between Chestnut Group, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Kensington Downs East Section IV. This project is inside the City and is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, remarked that this sewer would serve an 18-acre residential development with 38 lots.

Denise Porter-Ross moved approval of Sanitary Sewer Contract #2002-S-47 between Chestnut Group, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Kensington Downs East Section IV. Motion carried. Sanitary sewer to be constructed.

14. Approval of Water Main Replacement Contract #2002-W-23 between Fort Wayne Community Schools and the Fort Wayne Water Utility to construct water main systems to serve Fricke Avenue Water Main Replacement. This project is located inside the City of Fort Wayne (PRIVATE/UTILITY CAPITAL);

Jack Suter, Development Services, stated that the water line that runs under the Northside High School Parking lot is shallow and now would be a deeper grade.

John Suarez moved approval of Water Main Replacement Contract #2002-W-23 between Fort Wayne Community Schools and the Fort Wayne Water Utility to construct water main systems to serve Fricke Avenue Water Main Replacement. Motion carried. Water main systems to be constructed.

15. Approval of Construction Contract #1111-02 between Dafforn Excavating and the City of Fort Wayne for Mount Vernon Park Additional Water Main Replacement in the amount of $418,187.00. and Escrow Agreement for same. The Escrow Agent is Grabill Bank;

Denise Porter-Ross moved approval of Construction Contract #1111-02 between Dafforn Excavating and the City of Fort Wayne for Mount Vernon Park Additional Water Main Replacement in the amount of $418,187.00. Motion carried. Contract to be sent to City Council. John Suarez moved approval of Escrow Agreement for Construction Contract #1111-02 between Dafforn Excavating and the City of Fort Wayne. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

16. Approval of Change Order #3 and FINAL received from Geiger Excavating for Contract #592-99, Southgate Phase II Storm Sewer decreasing the contract amount by $49,731.51. The original contract price was $1,034,438.00. The new contract price including this change order is $1,136,719.39;

Ron Sheppard, Engineering Support Services, said that this Change Order is for a final quantities adjustment.

John Suarez moved approval of Change Order #3 and FINAL received from Geiger Excavating for Contract #592-99, Southgate Phase II Storm Sewer decreasing the contract amount by $49,731.51. Motion carried. Contract price to be decreased.

17. Approval of Change Order #1 & Final received from Bowen Engineering Corporation for Improvement Resolution #581-98, Morton Street Pump Station decreasing the contract amount by $55,008.00. The original contract price was $659,150.00. The new contract price including this change order is $619,248.00;

Ron Sheppard, Engineering Support Services, said that this Change Order is for a final quantities adjustment.

Denise Porter-Ross approval of Change Order #1 & Final received from Bowen Engineering Corporation for Improvement Resolution #581-98, Morton Street Pump Station decreasing the contract amount by $55,008.00. Motion carried. Contract price to be decreased.

18. Approval of recommendation received from Engineering Support Services to accept the work performed by Bowen Engineering Corporation on Improvement Resolution #581-98, Morton Street Pump Station;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Bowen Engineering Corporation on Improvement Resolution #581-98, Morton Street Pump Station. Motion carried. Acceptance letter to be sent.

19. Approval of Authorization for Release of Escrow received from Bowen Engineering Corporation for Improvement Resolution #581-98, Morton Street Pump Station in the amount of $63,964.80. The Escrow Agent is Bank One Trust;

John Suarez moved approval of Authorization for Release of Escrow received from Bowen Engineering Corporation for Improvement Resolution #581-98, Morton Street Pump Station in the amount of $63,964.80. The Escrow Agent is Bank One Trust. Motion carried. Release of Escrow to be sent to the Escrow Agent.

20. Approval of Claims in the amount of $6,498,498.07;

Denise Porter-Ross moved approval of Claims in the amount of $6,498,498.07. Motion carried. Claims to be sent to the Department of Finance.

21. Old Business:

None.

20. New Business:

None.

Denise Porter-Ross thanked Ted Rhinehart for a job well done as Chairman of the Board of Public Works and Board of Stormwater Management and wished him well in his new job at Decatur, Georgia. Ted Rhinehart also expressed his appreciation for the support of the Board Members and the Clerk.

Meeting adjourned at 9:30 a.m.

Ted Rhinehart, Chairman

Denise Porter-Ross, Member

John Suarez, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:00 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Marj Enders, Barrett Law Accountant, Jeff Grogg, Transportation Engineering Services; Valerie McBride, Transportation Engineering Services.

1. Final Hearing to Confirm Assessment Roll for Improvement Resolution #6860-02, Prange Avenue: Tacoma Avenue to Beaver Avenue (Jeff Grogg, Project Engineer).

   Jeff Grogg, Transportation Engineering Services, explained the scope of the project and then Ted Rhinehart asked for comments from the floor.

   H. Thomas Clayton of 929 Prange Drive and Steven Rieck, 1006 Prange Drive had complaints about the seeding and restoration.

   Jeff Grogg stated that these complaints would be taken care of in the Spring of 2003.

   Marj Enders, Barrett Law Accountant, explained the Barrett Law process.
   Denise Porter-Ross moved to Confirm Assessment Roll for Improvement Resolution #6860-02. Motion carried. Assessments to be sent.

Meeting adjourned at 10:10 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

DECEMBER 4, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:15 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Marj Enders, Barrett Law Accountant, Brian Kiess, Transportation Engineering Services; Valerie McBride, Transportation Engineering Services. No Property Owners in attendance.

1. Final Hearing to Confirm Assessment Roll for Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road (Brian Kiess, Project Engineer).
   Denise Porter-Ross moved to Confirm Assessment Roll for Improvement Resolution #6871-02. Motion carried. Assessments to be sent.

Meeting adjourned at 10:20 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport
Carolyn S. Newport, Clerk

DECEMBER 4, 2002

Board of Public Works
Room 250 - Omni Room
Hearing held at 10:30 a.m.

Ted Rhinehart, Chairman
John Suarez, Member
Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

PRESENT: All Members & Clerk, Marj Enders, Barrett Law Accountant, Richard Knappenberger, Transportation Engineering Services; Valerie McBride, Transportation Engineering Services. No Property Owners in attendance.

1. Final Hearing to Confirm Assessment Roll for Improvement Resolution #6859-02, Packard Avenue: Indiana Avenue to South Wayne Street (Richard Knappenberger, Project Engineer).
   John Suarez moved to Confirm Assessment Roll for Improvement Resolution #6859-02. Motion carried. Assessments to be sent.

Meeting adjourned at 10:35 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:30 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Pat Callahan, Mike Thornson, Mike Hicks; Paul Powers, Planning & Design; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Ken Nicolet, Customer Services; Justin Bruegger, Division of Public Works.

1. Approval of Board of Stormwater Management Minutes of November 27, 2002;

   John Suarez moved approval of Board of Stormwater Management Minutes of November 27, 2002. Motion carried. Minutes approved.

2. Approval of Change Order #2 & FINAL received from Land Inc. for Improvement Resolution #647-02, Hickory Grove/Waycross Storm Sewer decreasing the contract amount by $1,243,15. The original contract price was $105,160.00. The new contract price including this change order is $124,845.85;

   Ron Sheppard, Engineering Support Services, said that this Change Order reflects a final quantities adjustment.

   John Suarez moved approval of Change Order #2 & FINAL received from Land Inc. for Improvement Resolution #647-02, Hickory Grove/Waycross Storm Sewer decreasing the contract amount by $1,243,15. Motion carried. Contract price to be decreased.

3. Approval of Professional Services Agreement between the City of Fort Wayne Board of Stormwater Management and The Troyer Group, Inc. for Sunshine Avenue-Garden Club Drive Stormwater Drainage Study. The cost for services to be provided under this agreement is at a lump sum of $19,500.00. Planning & Design Services recommend approval;

   Mike Thornson, Planning & Design Services, informed the Board of the following: upon delivery of the services defined by this agreement, it is anticipated that one of the solution alternatives identified in the study will be selected and pursued through a subsequent engineering and design contract to address the drainage problems in this area.

Denise Porter-Ross moved approval of Professional Services Agreement between the City of Fort Wayne Board of Stormwater Management and The Troyer Group, Inc. for Sunshine Avenue-Garden Club Drive Stormwater Drainage Study. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

4. Old Business:

   None.

5. New Business:

   None.

Meeting adjourned at 9:40 a.m.

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk

JOINT MEETING

DECEMBER 4, 2002

BOARD OF PUBLIC WORKS & BOARD OF STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:30 A.M.

TED RHINEHART, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard, Engineering Support Services; Mark Gensic, Pat Callahan, Mike Thornson, Mike Hicks; Paul Powers, Planning & Design; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Greg Meszaros, Chief of Engineering; Ken Nicolet, Customer Services; Justin Bruegger, Division of Public Works; Ned Byrer, Associates Director of Utilities/Finance.

1. Presentation of City Utilities Budget for Water, Sewer, Stormwater, Electric, and Yard.

   Ned Byrer, Associate Director of City Utilities/Finance, stated that the City Utilities Budget had been reviewed with each Board Member and that the percentages are as follows:

   <u>WATER UTILITY</u>

Operating & Maintenance Budget	2.8%
Revenue Capital Budget	-.5%
Total Water O & M & Capital Budget	1.7%

   <u>SEWER UTLITY</u>

Operating & Maintenance Budget	7.4%
Improvement Fund Capital	-33.3%
Revenue Capital Budget	-5.9%
Total Sewer O & M & Capital Budget	-2.4%

   <u>Stormwater Utility</u>

Operating & Maintenance Budget	8.6%
Revenue Capital Budget	9.3%
Total Stormwater O & M & Capital	8.8%

Electric Utility

Operating & Maintenance Budget	7.2%

Yard Fund

Operating & Maintenance Budget	-2.8%
Total Operating & Maint. Budget	**5.4%**
Total Capital Budget	**-8.0%**
Total Budget	**0.4%**

Denise Porter-Ross moved to accept the City Utilities Budget for 2003. Motion carried. Copy to be placed on file in the Board of Public Works.

Meeting adjourned at 9:50 a.m.

Ted Rhinehart, Chairman
Board of Public Works & Stormwater Management

John Suarez, Member
Board of Public Works & Stormwater Management

Denise Porter-Ross, Member
Board of Public Works & Stormwater Management

ATTEST:
Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic, Pat Callahan, Matt Wirtz, and Mike Hicks, Planning & Design; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Ken Nicolet, Customer Services; John Perlich, PIO; Rick Orr, ROW/Finance Manager.

1. **RECEIVE BIDS:** RESOLUTION #1113-02, Glenhurst, Merivale, Rolston & Springfield – Water Main Replacement

BIDDER	BASE BID - HDPE
ALL STAR CONSTRUCTION & EXCAVATING	**$199,175.00**
DAFFORN EXCAVATING INC	**$145,303.91**
ENG. EST.	**$149,300.00**

Engineering Support Services to tabulate and report.

2. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District allocating $25,000 from At-Large CEDIT Funds for the Downtown Parking Signage Project;
Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Downtown Improvement District allocating $25,000 from At-Large CEDIT Funds for the Downtown Parking Signage Project. Motion carried. Copy to be placed on file in vault.

3. Approval of Board of Public Works Minutes of December 4, 2002 and Final Assessment Hearing Minutes of December 4, 2002 for Improvement Resolution #6860-02, Prange Drive: Tacoma to Beaver, Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road, and Improvement Resolution #6859-02, Packard Avenue: Indiana Avenue to South Wayne Street;

John Suarez moved approval of Board of Public Works Minutes of December 4, 2002 and Final Assessment Hearing Minutes of December 4, 2002 for Improvement Resolution #6860-02, Prange Drive: Tacoma to Beaver, Improvement Resolution #6871-02, Lakewood Drive: Donna Drive to Reserve Line Road, and Improvement Resolution #6859-02, Packard Avenue: Indiana Avenue to South Wayne Street. Motion carried. Minutes approved.

4. Approval of Change Order #1 & FINAL received from Garcia Concrete, Inc. for Improvement Resolution #6872-02, Treverton Drive decreasing the contract price by $1,429.20. The original contract price was $29,179.00. The new contract price including this change order is $27,749.80;

   Mario Trevino, Transportation Engineering Services remarked that remaining quantities were added or subtracted from the original contract in order to complete project construction.
   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Garcia Concrete, Inc. for Improvement Resolution #6872-02, Treverton Drive decreasing the contract price by $1,429.20. Motion carried. Contract price to be decreased.

5. Approval of Change Order #1 & FINAL received from Newell Construction for Improvement Resolution #6876-02, Lakewood Drive decreasing the contract price by $900.50. The original contract price was $67,226.50. The new contract price including this change order is $66,326.00;

   Mario Trevino, Transportation Engineering Services explained that the Consultant was high for quantities of anchor bolts resulting in this decrease.
   Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Newell Construction for Improvement Resolution #6876-02, Lakewood Drive decreasing the contract price by $900.50. Motion carried. Contract price to be decreased.

6. Approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6894-02, Public Sidewalk Curb Ramps Intersection 2002 Pkg. 1 increasing the contract price by $11,963.59. The original contract price was $133,625.00. The new contract price including this change order is $145,588.59;

   Mario Trevino, Transportation Engineering Services, stated that design changes on some ramps were necessary due to storm sewer obstructions, existing conditions and grade conflict with the property yards on the back of sidewalk. Also, five additional locations were added to the project.
   John Suarez moved approval of Change Order #1 & FINAL received from Key Concrete, Inc. for Improvement Resolution #6894-02, Public Sidewalk Curb Ramps Intersection 2002 Pkg. 1 increasing the contract price by $11,963.59.

7. Approval of Change Order #1 & FINAL received from Brooks Construction Co. for Improvement Resolution #6886-02, Coldwater Rd. & Washington Center Road increasing the contract price by $62,885.48. The original contract price was $530,369.51. The new contract price including this change order is $593,254.99;

David Ross, City Engineer, apprised the Board of the following: additional pavement was replaced in two areas. The added pavement was adjacent to the new pavement and was determined to be in poor shape. Additional items were added for traffic maintenance, which were not included on the itemized proposal. Traffic items were added due to problems encountered with broken hand hole structure and conduit hidden underground.

John Suarez moved approval of Change Order #1 & FINAL received from Brooks Construction Co. for Improvement Resolution #6886-02, Coldwater Rd. & Washington Center Road increasing the contract price by $62,885.48. Motion carried. Contract price to be increased.

8. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's transportation system:

Resolution #6885-02, Curb Ramp Pkg. 8 – Key Concrete, Inc.

Resolution #6897-02, Coombs Street Viaduct – Brooks Construction

Resolution #6866-02, South Anthony Blvd. Paulding Rd. to Fairfax – Hipskind Concrete

Resolution #6894-02, Public Sidewalk Curb Ramp Intersection 2002 Pkg. 1 – Key Concrete Inc.

Resolution #6881-02, Allendale Drive: Belle Vista Blvd. to Gilbert Drive – Wayne Asphalt

Denise Porter-Ross moved approval of recommendation received from Transportation Engineering Services to accept the work on the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

9. **IMPROVEMENT RESOLUTION #1563-02** and Construction Contract #1563-02 for Northwest Pump Station – Vacuum Priming Installation between Hydro-Power, Inc. and the City of Fort Wayne in the amount of $16,313.00;

Matt Wirtz, Planning & Design, said that this orders the construction of an oil sealed rotary vane vacuum priming system, including all associated piping, mechanical and electrical equipment as necessary to complete this project.

Matt Wirtz also informed that Board of the following: said improvements with all their appurtenances shall be constructed via a sole source contract with Hydro Power, Inc. Hydro Power Inc. is the local authorized representative for the sale and servicing of Travaini Rotary Vane Vacuum Pumps. Hydro Power has a good working relationship with the Three Rivers Filtration Plant and has provided vacuum priming systems for the St. Joe Dam and the East High Service Pump Room. To ensure owner familiarity with controls and operations as well as to minimize spare parts needed in inventory, the same manufacturer will be utilized at the NW Pump Station.
John Suarez moved approval of IMPROVEMENT RESOLUTION #1563-02 and Construction Contract #1563-02 for Northwest Pump Station – Vacuum Priming Installation between Hydro-Power, Inc. and the City of Fort Wayne in the amount of $16,313.00. Motion carried. Copy of Improvement Resolution to be herein incorporated. Contract to be placed on file in vault.

10. Approval of Amendment No. 2 to Agreement between City of Fort Wayne and Lawson-Fisher Associates, P.C. for the St. Joe & Cedarville Dam Inspections. The lump sum amount for Amendment #2 is $2,500 increasing the total fee for this contract to $50,000. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design, said that this amendment is necessary to complete design for replacement of tainter gate seals at the St. Joe Dam.
Denise Porter-Ross moved approval of Amendment No. 2 to Agreement between City of Fort Wayne and Lawson-Fisher Associates, P.C. for the St. Joe & Cedarville Dam Inspections. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

11. Approval of Agreement between the City of Fort Wayne and NIPSCO to move gas line on Oxford. The cost of this work is $16,513.00. Planning & Design Services recommend approval;

Pat Callahan, Planning & Design Services, remarked that this agreement identifies the responsibilities of NIPSCO and the City of Fort Wayne with respect to the gas main relocation on Oxford.
John Suarez moved approval of Agreement between the City of Fort Wayne and NIPSCO to move gas line on Oxford and moved to authorize Greg Meszaros to execute the document on behalf of the Board. Motion carried. Copy to be placed on file in vault.

12. Approval of Water Contract #2002-W-22 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve Air Guard Water Main Replacement. This project is located inside the City (PRIVATELY FUNDED);

Jack Suter, Development Services, said that said water line to include 495 L. F. of 6" ductile iron pipe and 480 L.F. of 12" ductile iron pipe.
Denise Porter-Ross moved approval of Water Contract #2002-W-22 between Indiana Air National Guard and the Fort Wayne Water Utility to construct water main systems to serve Air Guard Water Main Replacement. Motion carried. Water main systems to be constructed.

13. Approval of Change Order #1 received from Shook Heavy & Environmental Group, a Division of Shook, Inc. for Improvement Resolution #642-2002, for the WPCP Headwork's Project decreasing the contract price by $15,000.00. The original contract price was $18,801,000.00. The new contract price including this change order is $18,786,000.00;

Bill Maxwell, Engineering Support Services, said by using Shrader Industrial Systems, Inc. in lieu of another supplier, a credit was provided to the City in the amount of $15,000.00.
John Suarez moved approval of Change Order #1 received from Shook Heavy & Environmental Group, a Division of Shook, Inc. for Improvement Resolution #642-2002, for the WPCP Headwork's Project decreasing the contract price by $15,000.00. Motion carried. Contract price to be decreased.

14. Approval of FINAL Change Order received from Fleming Excavating for Improvement Resolution #644-2001, Fleming/Maple Grove Sanitary decreasing the contract amount by $3,558.82. The original contract price was $79,545.43. The new contract price including this change order is $75,986.61;

Ron Sheppard, Engineering Support Services, said that this change order is for a final adjustment of project quantities.
Denise Porter-Ross moved approval of FINAL Change Order received from Fleming Excavating for Improvement Resolution #644-2001, Fleming/Maple Grove Sanitary decreasing the contract amount by $3,558.82. Motion carried. Contract price to be decreased.

15. Approval of Change Order #5 received from A. Hattersley & Son, Inc. for Improvement Resolution #1105-01, Online Processing Monitoring increasing the contract price by $9,835.26. The original contract price was $270,000.00. The new contract price including this change order is $295,118.53;

Bill Maxwell, Engineering Support Services, explained that the necessities for the changes are as follows:

a. Additional wiring required to supply power for instruments being installed in project, as existing circuits proved inadequate (Filtration Plant purchased transformers and circuit breaker panel.
b. Sample pumps were designed to be 120 vac pumps, however only 3 phase 480 vac power available, required 2 new circuits to be designed and built.

c. Changes in accepted pipe materials from original design created a problem with pipes moving out of alignment in operation. Correction requires stress relief to be installed on these pipes.

d. Installation of overlooked instrument. Changes made during cost cutting for project missed includes of the HSD Turbidimeter installation in revised specifications and bid package.

e. Electric modifications made to install power isolation switches for each instrument, that maintenance work on one would not require shutdown of other instruments on that circuit.

John Suarez moved approval of Change Order #5 received from A. Hattersley & Son, Inc. for Improvement Resolution #1105-01, Online Processing Monitoring increasing the contract price by $9,835.26. Motion carried. Contract price to be increased.

16. Approval of recommendation received from Engineering Support Services to accept the work performed on the following contracts:

Sewer Contract #2002-S-39, Watersong Office Park Phase I Sanitary – Fox Contractors Corp.

Water Contract #2002-W-09, Sorrento Section I Water – Kurtz Excavating

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed on the following contracts. Motion carried. Acceptance letters to be sent.

17. Approval of write-off of City Utilities delinquent revenue accounts for September, 2002 in the amount of $32,019.15;

Denise Porter-Ross moved approval of write-off of City Utilities delinquent revenue accounts for September, 2002 in the amount of $32,019.15. Motion carried. City Utilities delinquent accounts to be sent to a collection agency.

18. Approval of General Accounting claims in the amount of $12,362,000.54;

John Suarez moved approval of General Accounting claims in the amount of $12,362,000.54. Motion carried. General Accounting claims to be sent to the Department of Finance.

19. Approval of Barrett Law claims in the amount of $29,679.90;

Denise Porter-Ross moved approval of Barrett Law claims in the amount of $29,679.90. Motion carried. Barrett Law claims to be sent to the Department of Finance.

20. Old Business:

None.

21. New Business:

None.

Meeting adjourned at 9:35 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, ~~Clerk~~

BOARD OF PUBLIC WORKS & STORMWATER MANAGEMENT
ROOM 250--OMNI ROOM
MEETING HELD AT 9:35 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; David Ross, City Engineer; Jack Suter & Mary Jane Slaton, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services; Mark Gensic, Pat Callahan, Matt Wirtz, and Mike Hicks, Planning & Design; Jim Howard, Associate City Attorney; Mario Trevino, Transportation Engineering Services; Charles Bailey & Carl Wilson, Contract Compliance; Ken Nicolet, Customer Services; John Perlich, PIO; Rick Orr, ROW/Finance Manager.

1. Approval of Board of Public Works & Stormwater Management Minutes of December 4, 2002;
John Suarez moved approval of Board of Public Works & Stormwater Management Minutes of December 4, 2002. Motion carried. Minutes approved.

Meeting adjourned at 9:37 a.m.

Greg Meszaros, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport, Clerk

BOARD OF PUBLIC WORKS
ROOM 250--OMNI ROOM
MEETING HELD AT 9:00 A.M.

GREG MESZAROS, CHAIRMAN
JOHN SUAREZ, MEMBER
DENISE PORTER-ROSS, MEMBER

CAROLYN S. NEWPORT, CLERK

PRESENT: All Members & Clerk, BOPW; Robert Kennedy, Associate Director, Division of Public Works; Jim Howard, Associate City Attorney; David Ross, City Engineer; Mario Trevino, Transportation Engineering; Charles Bailey & Carl Wilson, Contract Compliance; Mark Gensic, Matthew Wirtz, and Keith Hood, Planning & Design Services; Mary Jane Slaton & Jack Suter, Development Services; Ron Sheppard & Bill Maxwell, Engineering Support Services.

1. **RECEIVE BIDS:** RESOLUTION #1514-03, Camp Scott Wetlands Phase III-A-Site Preparation;

BIDDER	
BERCOT INC	**$339,391.00**
FLEMING EXCAVATING	**$232,023.25**
GEIGER EXCAVATING	**$118,068.00**
LAND INC	**$161,880.00**
MILLER BROS CONSTRUCTION INC	**$168,225.00**
REINHART LANDSCAPING	**$133,160.00**
ENG. EST.	**$244,760.00**

Engineering Services to tabulate and report.

2. **AWARD:** Improvement Resolution #680-02, Taylor Street Combined Sewer to Affholder, Inc. in the amount of $208,000.00. Contract Compliance concurs with this award;

Denise Porter-Ross moved approval of award for Improvement Resolution #680-02, Taylor Street Combined Sewer to Affholder, Inc. in the amount of $208,000.00. Motion carried. Notice of award to be sent. Engineering Support Services to prepare contracts.

3. **AWARD:** Improvement Resolution #1113-02, Glenhurst, Merivale, Rolston & Springfield Water Main Replacement to Dafforn Excavating in the amount of $145,303.91. Contract Compliance concurs with this award.

John Suarez moved approval of award for Improvement Resolution #1113-02, Glenhurst, Merivale, Rolston & Springfield Water Main Replacement to Dafforn Excavating in the amount of $145,303.91. Motion carried. Notice of award to be sent. Engineering Services to prepare contracts.

4. Approval of Board of Public Works Minutes of December 11, 2002;

Denise Porter-Ross moved approval of Board of Public Works Minutes of December 11, 2002. Motion carried. Minutes approved.

5. **RESOLUTION** Authorizing Signatories for the Sewer Revolving (SRF) Loan by the Board of Public Works of the City of Fort Wayne, Indiana;

Jim Howard, Associate City Attorney, remarked that this authorizes Greg Meszaros, Ned Byrer and Valerie Breen to be signatories for the Sewer Revolving (SRF) Loan replacing Ted Rhinehart and Deanna Wilkerson.

John Suarez moved approval of RESOLUTION Authorizing Signatories for the Sewer Revolving (SRF) Loan by the Board of Public Works of the City of Fort Wayne, Indiana. Motion carried. Copy to be herein incorporated.

6. Approval of Buckner Farm Memorandum of Understanding between the City of Fort Wayne Board of Park Commissioners and the Board of Public Works;

Jim Howard, Associate City Attorney, stated that this Agreement explains the following:

A. $200,00 in compensation to be transferred to the Board and placed in Trust for exclusive use at this park site as determined by the Board of Parks.

B. A perpetual waiver of all future sanitary sewer tapping fees associated with Buckner Farm.

C. Regular inspections of the sanitary sewer line to include prompt notification to the County Surveyor and the Board of Park Commissioners of any waterway obstructions.

D. Coordination of actual placement and construction of the easement and the sewer line with the Parks designated advisory body (Natural Resource Team) to ensure minimal interference with pre-existing trees, flora and fauna, prevent waterway obstructions and reduce and physical impact on the stream corridor.

E. All trees in value in said easement that are removed will be the property of the Board of Park Commissioners.

F. Commencement of the work as soon as possible, preferably in the winter.

Denise Porter-Ross moved approval of Buckner Farm Memorandum of Understanding between the City of Fort Wayne Board of Park Commissioners and the Board of Public Works. Motion carried. Copy to be placed on file in vault.

7. Approval of Agreement between the City of Fort Wayne Board of Public Works and the Kirkwood Park Association allocating $2,500.00 from 2nd District CEDIT Funds for The Kirkwood Park Entrance Marker;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Kirkwood Park Association allocating $2,500.00 from 2nd District CEDIT Funds for The Kirkwood Park Entrance Marker. Motion carried. Copy to be placed on file in vault.

8. Approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the engineering design of improvements to Time Corners Traffic Congestion. Proposed improvements include lane widening; resurfacing; curb & gutter, sidewalk, curb ramp construction; drainage rehabilitation; traffic signal upgrade and two new installations; pavement markings. Compensation for services performed shall be a fee not-to-exceed $263,290.00. City Engineering recommends approval;

David Ross, City Engineer, stated that this project is to provide a safer and more efficient traffic corridor at the intersection of Covington Road, Getz Road and Jefferson Blvd. Mr. Ross said that this Agreement would need City Council approval.

John Suarez moved approval of Agreement between the City of Fort Wayne and Bonar Group to provide professional services for the engineering design of improvements to Time Corners Traffic Congestion. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

9. Approval of Agreement Continuation between the City of Fort Wayne and Dodzik Engineering, Inc. to provide professional services for the Project Management of Improvements to the Transportation Improvement Program. Proposed improvements include: the Capital Improvement Program planned for 2003: scheduling, plan review, activity coordination, and status reports. Compensation for services performed shall be a fee not-to-exceed $32,000.00. City Engineering recommends approval;

David Ross, City Engineer, said that this involves the management of projects that will design transportation (street, walk, traffic, street lighting) improvements and cooperative interaction with other City and private utilities.

Denise Porter-Ross moved approval of Agreement Continuation between the City of Fort Wayne and Dodzik Engineering, Inc. to provide professional services for the Project Management of Improvements to the Transportation Improvement Program. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

10. **IMPROVEMENT RESOLUTION #6909-03,** Oakhurst Park Addition;

Mario Trevino, Transportation Engineering Services, said that this is for sidewalks and drive approaches at miscellaneous locations in Oakhurst Park Addition and that property owners have waived their right to a public hearing.

John Suarez moved approval of Improvement Resolution #6909-03. Motion carried. Copy to be herein incorporated. Bids to be received on 1/3/03.

11. **IMPROVEMENT RESOLUTION #6911-03,** Inwood Drive; **IMPROVEMENT RESOLUTION #6912-03,** Inwood Court, **IMPROVEMENT RESOLUTION #6913-03,** Lynwood Court;

Mario Trevino, Transportation Engineering Services, apprised the Board of the following: these improvements are for curbs, drive approaches and restoration which will be assessed 60% on the real estate abutting on said improvement. The cost for water main, subsurface drainage, storm sewer pipes and structures shall be assessed 100% on City Utilities, and ADA curb ramps, asphalt resurfacing shall also be assessed 100% on the City.

Denise Porter-Ross moved approval of IMPROVEMENT RESOLUTION #6911-03, Inwood Drive; IMPROVEMENT RESOLUTION #6912-03, Inwood Court, IMPROVEMENT RESOLUTION #6913-03, Lynwood Court. Motion carried. Copies to be herein incorporated. Hearings to be scheduled.

12. Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6866-02, Anthony Blvd., South: Paulding to Fairfax increasing the contract price by $13,635.07. The original contract price was $199,999.99. The new contract price including this change order is $213,635.06;

- Mario Trevino, Transportation Engineering Services, said that this change order is due to the following:
- Concrete curb Type III required to complete the radii at the intersection of Paulding.
- Castings were found to be in need of replacement.
- City Traffic Dept. requested that all affected loops be replaced on the signal cables.
- An increase of backfill was necessary to complete the construction.
- Water valves were necessary to upgrade.

John Suarez moved approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6866-02, Anthony Blvd., South: Paulding to Fairfax increasing the contract price by $13,635.07. Motion carried. Contract price to be increased.

13. Approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6887-02, Miscellaneous Construction Pkg. 2-A-02 increasing the contract price by $829.57. The original contract price was $37,303.00. The new contract price including this change order is $38,132.57;

Mario Trevino, Transportation Engineering Services, remarked that a final adjustment of total quantities were needed to finish this project.

Denise Porter-Ross moved approval of Change Order #1 & FINAL received from Hipskind Concrete for Improvement Resolution #6887-02, Miscellaneous Construction Pkg. 2-A-02 increasing the contract price by $829.57. Motion carried. Contract price to be increased.

14. Approval of recommendation received from Transportation Engineering Services to accept the work on the following projects as an integral part of the City's integral transportation system;

Res. #6809-01, Trier Rd: Maplecrest to Lahmeyer – Wayne Asphalt

Res. #6827-01, Packard/Wildwood – Hipskind Concrete

Res. #6833-02, Resurfacing Pkg. A-02 – E & B Paving

Res. #6859-02, Packard Avenue, Indiana to S. Wayne – Wayne Asphalt

Res. #6860-02, Prange Avenue: Tacoma to Beaver, Hipskind Concrete

Res. #6871-02, Lakewood Dr – Wayne Asphalt

Res. #6875-02, Victoria Dr: Inwood to Eastern Terminus – Wayne Asphalt

Res. #6876-02, Lakeshores Addn. – Newell Const.

Denise Porter-Ross moved to accept the work on the above-mentioned projects as an integral part of the City's transportation system. Motion carried. Acceptance letters to be sent.

15. Approval of Professional Services Agreement between the City of Fort Wayne and Cleland Environmental Engineering, Inc. for Program Management for Wastewater Treatment Plant Capital Programs. The contract amount for this works is not-to-exceed $87,350.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design, said that this program would involve the identification of capital projects and selection and management of design consultants for wastewater treatment plant improvements projects for the City including the cooperative interaction with other City Departments as needed for planning, design, project management and program management.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Cleland Environmental Engineering, Inc. for Program Management for Wastewater Treatment Plant Capital Programs. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

16. Approval of Professional Services Agreement between the City of Fort Wayne and HomeTown Engineering, LLC for Program Management for Water Filtration Plant Capital Programs. The total not-to-exceed fee for this contract is $98,000.00. Planning & Design Services recommend approval.

Mark Gensic, Planning & Design Services, said that this project would involve the identification of capital projects and selection and management of design consultants for water treatment plant improvement projects for the City including the cooperative interaction with other City departments as needed for planning, design, project management and program management.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and HomeTown Engineering, LLC for Program Management for Water Filtration Plant Capital Programs. Motion carried. Copy to be placed on file in vault. Notice to proceed to be sent.

17. Approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Master Utility Program Management through 2003. The not-to-exceed amount for this contract is $391,976.00. Planning & Design Services recommend approval;

Mark Gensic, Planning & Design Services, said that the purpose of this Project is to provide management services for the City's Water and Wastewater System Programs and other additional engineering services for the Water Resources Planning & Design Services Department. Mr. Gensic said that in addition, this would involve selected projects and studies for water and sewer expansion and improvements in those areas of the City where land development is creating the need for additional and/or improved City Utility services.

John Suarez moved approval of Professional Services Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Master Utility Program Management through 2003. The not-to-exceed amount for this contract is $391,976.00.

18. Approval of Change Order #2 received from Shook Heavy & Environmental Group requesting a time change to the completion date for Contract #642-02, WPCP Headworks project;

Ron Sheppard, Engineering Support Services, said that addendum #1 of the bid documents provided for additional time to complete work of modification of the clarifiers described in alternate numbers 3, 4, 5, & 6 by 14 days each, for a 56 day total. This will revise the substantial completion date to June 10, 2004.

Denise Porter-Ross moved approval of Change Order #2 received from Shook Heavy & Environmental Group requesting a time change to the completion date for Contract #642-02, WPCP Headworks project. Motion carried. Completion date changed to June 10, 2004.

19. Approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Improvement Resolution #645-02, East Shore Drive Sanitary decreasing the contract price by $5,452.10. The original contract price was $49,832.80. The new contract price including this change order is $44,380.70;

Ron Sheppard, Engineering Support Services, said that this change order was for a final quantity adjustment.

John Suarez moved approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Improvement Resolution #645-02, East Shore Drive Sanitary decreasing the contract price by $5,452.10. Motion carried. Contract price to be decreased.

20. Approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Contract #1522-02, 2002 Miscellaneous Network Connections-Pkg. 1 increasing the contract price by $2,254.00. The original contract price was $35,903.00. The new contract price including this change order is $38,157.00;

    Ron Sheppard, Engineering Support Services, said that this change order is due to the following:

    1) Excavate and repair the main on North Avenue to allow Water Maintenance to install a 6" tapping sleeve and valve.

    2) Installation of a 6" valve and related fittings, sleeves, retainer glands and labor on the existing main on Doenges Ave.

    3) Installation of 4-3/4" test risers

    4) The existing 6" water main on North Drive was located improperly on the plans. Actual main was under a portion of the asphalt street. When excavating for the sleeve, a portion of the asphalt street was removed.

    Denise Porter-Ross moved approval of Change Order #1 & FINAL received from All Star Construction & Excavating for Contract #1522-02, 2002 Miscellaneous Network Connections-Pkg. 1 increasing the contract price by $2,254.00. Motion carried. Contract price to be increased.

21. Approval of Contract #87-43-15 (5) between the City of Fort Wayne and National Power Rodding, Inc. for Sewer Inspection and Cleaning Service in the amount of $623,332.51. **PRIOR APPROVAL IS REQUESTED;**

    John Suarez moved approval of Contract #87-43-15 (5) between the City of Fort Wayne and National Power Rodding, Inc. for Sewer Inspection and Cleaning Service in the amount of $623,332.51. Motion carried. Contract to be sent to City Council.

22. Approval of Escrow Agreement between the City of Fort Wayne and National Power Rodding, Inc. for Contract #87-43-15 (5), Sewer Inspection and Cleaning Service. Freeborn & Peters is the Escrow Agent;

    Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and National Power Rodding, Inc. for Contract #87-43-15 (5), Sewer Inspection and Cleaning Service. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

23. Approval of Contract #1542-02 between the City of Fort Wayne and National Power Rodding, Inc. for North Maumee Interceptor Cleaning in the amount of $114,062.82. **PRIOR APPROVAL IS REQUESTED;**

Denise Porter-Ross moved approval of Contract #1542-02 between the City of Fort Wayne and National Power Rodding, Inc. for North Maumee Interceptor Cleaning in the amount of $114,062.82. Motion carried. Contract to be sent to City Council.

24. Approval of Escrow Agreement between the City of Fort Wayne and National Power Rodding, Inc. for Contract #1542-02, North Maumee Interceptor Cleaning. Freeborn & Peters is the Escrow Agent;

Denise Porter-Ross moved approval of Escrow Agreement between the City of Fort Wayne and National Power Rodding, Inc. for Contract #1542-02, North Maumee Interceptor Cleaning. Motion carried. Escrow Agreement to be sent to the Escrow Agent.

25. Approval of Sewer Contract #2002-S-45 between Reinig Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Estates of Sandy Pointe Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this 21 residential lot subdivision is located at the intersection of Auburn and Dupont Roads.

John Suarez moved approval of Sewer Contract #2002-S-45 between Reinig Development, LLC and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Estates of Sandy Pointe Section II. Motion carried. Sanitary sewer to be constructed.

26. Approval of Sewer Contract #2002-S-49 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sorrento Section II. This project is outside the City. This contract contains provisions for Waiver of Remonstrance against annexation. This project is in a green zone (PRIVATELY FUNDED);

Jack Suter, Development Services, said that this development includes 104 lots and is near Tonkel and Union Chapel Roads.

Denise Porter-Ross moved approval of Sewer Contract #2002-S-49 between Pine View Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Sorrento Section II. Motion carried. Sanitary sewer to be constructed.

27. Approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating & Land, Inc. on Sewer Contract #2001-S-57, North Maumee Lift Station & Force Main;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Fleming Excavating & Land, Inc. on Sewer Contract #2001-S-57, North Maumee Lift Station & Force Main. Motion carried. Acceptance letter to be sent.

28. Approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Contract #2002-W-24, Metro Business Park Water as an integral part of the City's water distribution system;

Denise Porter-Ross moved approval of recommendation received from Engineering Support Services to accept the work performed by Frontier Contractors on Contract #2002-W-24, Metro Business Park Water as an integral part of the City's water distribution system. Motion carried. Acceptance letter to be sent.

29. Approval of Barrett Law Claims in the amount of $50,206.99;

Denise Porter-Ross moved approval of Barrett Law Claims in the amount of $50,206.99. Motion carried. Barrett Law Claims to be sent to the Department of Finance.

30. Approval of General Accounting Claims in the amount of $8,413,766.18;

John Suarez moved approval of General Accounting Claims in the amount of $8,413,766.18. Motion carried. General Accounting Claims to be sent to the Department of Finance.

31. Old Business:

None.

32. New Business:

Approval of recommendation received from Engineering Support Services to accept the work performed by Bunn Excavating, Inc. on Sewer Contract #2002-S-30, Congressional Industrial Park II, Phase I Sanitary as an integral part of the City's sanitary sewer system;

John Suarez moved approval of recommendation received from Engineering Support Services to accept the work performed by Bunn Excavating, Inc. on Sewer Contract #2002-S-30, Congressional Industrial Park II, Phase I Sanitary as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

Approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department allocating $5,000.00 from 1st District CEDIT Funds for playground equipment in McCormick Park;

Denise Porter-Ross moved approval of Agreement between the City of Fort Wayne Board of Public Works and the Fort Wayne Parks and Recreation Department allocating $5,000.00 from 1st District CEDIT Funds for playground equipment in McCormick Park. Motion carried. Copy to be herein incorporated.

Meeting adjourned at 10:15 a.m.

Ted Rhinehart, Chairman

Greg McCarty

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: Carolyn S. Newport

Carolyn S. Newport, Clerk